BY AUTHORITY OF CONGRESS.

THE

Statutes at Large, Treaties, and

PROCLAMATIONS,

OF THE

UNITED STATES OF AMERICA.

FROM

DECEMBER, 1865, TO MARCH, 1867.

Arranged in Chronological Order and carefully collated with the Originals at Washington.

WITH

REFERENCES TO THE MATTER OF EACH ACT AND TO THE SUBSEQUENT ACTS ON THE SAME SUBJECT.

EDITED BY

GEORGE P. SANGER,
COUNSELLOR AT LAW.

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VOL. XIV.

BOSTON:
LITTLE, BROWN, AND COMPANY
1868.
ADVERTISMENT.

In publishing the following Laws, the same plan has been adopted that was prescribed in the Joint Resolution of Congress of March 3, 1845, authorizing a subscription to the edition of all the Laws of the United States published by us. A close examination of this volume will disclose some apparent errors in the Laws as here printed; but as we procure a careful collation with the records at Washington by an experienced reader of the Department of State, and scrupulously follow the original, any seeming errors must be attributed to the Rolls, and not to us. Where anything absolutely necessary to the sense is omitted in the Rolls, it is inserted in the text, enclosed in brackets.

We intend to publish annually, and as soon after the close of each Session of Congress as is possible, the Acts of that Session, in a similar form and with a similar arrangement.

It will be seen, by the following extracts from the Act of Congress, August 8, 1846, and the Joint Resolutions of September 26, 1850, and March 31, 1866, that our edition has been sanctioned by Congress, and is the OFFICIAL EDITION.

"And whereas said edition of the said LAWS AND TREATIES OF THE UNITED STATES has been carefully collated and compared with the original Rolls in the Archives of the Government, under the inspection and supervision of the Attorney-General of the United States, as duly certified by that officer: therefore, Be it further enacted, that said edition of the LAWS AND TREATIES OF THE UNITED STATES, published by LITTLE & BROWN, is hereby declared to be competent evidence of the several Public and Private Acts of Congress, and of the several Treaties therein contained, in all the Courts of Law and Equity and Maritime Jurisdiction, and in all the Tribunals and Public Offices of the United States and of the several States, without any further proof or authentication thereof." — APPROVED, August 8, 1846.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be authorized and directed to contract with LITTLE & BROWN to furnish their annual Statutes at Law printed in conformity with the plan adopted by Congress in eighteen hundred and forty-five, instead of the edition usually issued by his order, under the act of Congress of April twentieth, eighteen hundred and eighteen, and which conforms to an edition of two laws now out of use." — APPROVED, September 26, 1850.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he is hereby, authorized and directed to renew the contract of October thirty-first, eighteen hundred and fifty, between the Department of State and LITTLE, BROWN, AND COMPANY, of Boston, Massachusetts, for the annual publication of the Statutes at Law of the United States until otherwise ordered by Congress, in conformity with the joint resolutions approved respectively March third, eighteen hundred and forty-five, and September thirty-first [twenty-sixth], eighteen hundred and fifty." — APPROVED, March 31, 1866.

LITTLE, BROWN, AND COMPANY

BOSTON, January, 1868.

[N. B. The references in the margin in this Volume to Volume XV., are to the Pamphlet of the Session Laws of the First Session of the Fortieth Congress, which will make a part of Volume XV. of the Statutes at Large.]
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6. **Madison's Writings.** A resolution directing the distribution of the writings of James Madison. February 7, 1866.

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PUBLIC ACTS OF THE THIRTY-NINTH 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 Monday, the fourth day of
December, A.D. 1865, and ended on Saturday, the twenty-eighth day
of July, A.D. 1866.
ANDREW JOHNSON, President. LA FAYETTE S. FOSTER, President of
the Senate. LA FAYETTE S. FOSTER was elected President of the
Senate pro tempore on the seventh day of March, and so acted until
the end of the Session. SCHUYLER COLFAX, Speaker of the House
of Representatives.

CHAP. I - An Act to amend an Act entitled "An Act providing for the Selection of
Jurors to serve in the several Courts of the District of Columbia."

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That if at any time it shall oc-
cur that all of the names in the box provided for in the fourth section of
the act to which this is an amendment shall have been drawn out of the
same at any term of the court before the first day of February next ensu-
ving, the court, or any judge thereof, may order the marshal to summon
from the body of Washington County twenty-three citizens, having the
qualifications of jurors, as provided in said act, to serve as grand jurors,
and twenty-six citizens, having such qualifications, to act as petit jurors,
or either, as may be needed at any subsequent term of the court to be
held between the time of the happening of the contingency aforesaid and
the first day of February then next ensuing; and vacancies in either
grand or petit jurors so ordered to be summoned as aforesaid may be filled
by other persons summoned by the marshal upon the order of the court.

SEC. 2. And be it further enacted, That whereas all the names in the
jury-box provided for by the fourth section of the act to which this an amendment were,
at the late term of the supreme court of the District of
Columbia, sitting for the trial of crimes and misdemeanors, drawn from
said box, the judge assigned to hold the December term of said court for
the year eighteen hundred and sixty-five, be, and he is hereby, authorized
and empowered to order the marshal to summon from the body of Wash-
ington County twenty-three citizens, having the qualifications of jurors, as
provided in the act to which this is an amendment, to act as grand jurors
for said term of said court, and twenty-six citizens, having such qualifica-
tions, to act as petit jurors for said term, and that vacancies in said grand
and petit jurors may be filled as provided for in the first section of this
act.

APPROVED, December 18, 1865.

CHAP. II. - An Act to prevent the Spread of foreign Diseases among the Cattle of the
United States.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the importation of cattle
be, and hereby is, prohibited. And it shall be the duty of the Secretary
of State to prohibit
Rules and regulations of the Treasury to make such regulations as will give this law full and immediate effect, and to send copies of them to the proper officers in this country, and to all officers or agents of the United States in foreign countries.

SEC. 2. And be it further enacted, That when the President shall give thirty days' notice, by proclamation, that no further danger is to be apprehended from the spread of foreign infectious or contagious diseases among cattle, this law shall be of no force, and cattle may be imported in the same way as before its passage.

APPROVED, December 18, 1865.

Dec. 10, 1865.

CHAP. III.—An Act making Appropriation for refurnishing and repairing the President's House.

Appropriation for refurnishing and repairing the President's house.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of thirty thousand dollars, or so much thereof as shall be necessary, be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for refurnishing the President's house and repairing the same.

APPROVED, December 10, 1865.

January 15, 1866.

CHAP. V.—An Act authorizing the Secretary of the Treasury to appoint Assistant Assessors of Internal Revenue.

Assistant assessors of internal revenue appointed by Secretary of Treasury.

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 is hereby authorized to appoint any assistant assessors of internal revenue now provided by law.

APPROVED, January 15, 1866.

February 7, 1866.

CHAP. VI.—An Act making Appropriations for the Payment of invalid and other Pensions of the United States for the Year ending the thirtieth of June, eighteen hundred and sixty-seven, and additional Appropriations for the Year ending the thirtieth of June, eighteen hundred and sixty-six.

Appropriations for pensions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, eighteen hundred and sixty-seven:

For invalid pensions under various acts, five millions five hundred thousand dollars.

For revolutionary pensions, and pensions of widows, children, mothers, and sisters of soldiers, as provided for by acts of March eighteenth, eighteen hundred and eighteen; May fifteenth, eighteen hundred and twenty-eight; June seventh, eighteen hundred and thirty-two; July fourth, eighteen hundred and thirty-six; and July fourteenth, eighteen hundred and sixty-two, one hundred and forty thousand dollars, to be paid out of the navy pension fund.

Deficiency appropriations.
For revolutionary pensions and pensions of widows, children, mothers, and sisters of soldiers, as provided for by acts of March eighteen, eighteen hundred and eighteen, May fifteen, eighteen hundred and twenty-eight, June seven, eighteen hundred and thirty-two, July four, eighteen hundred and thirty-six, July seven, eighteen hundred and thirty-eight, March three, eighteen hundred and forty-three, June seven, eighteen hundred and forty-four, February two, July twenty-one, and July twenty-nine, eighteen hundred and forty-eight, February three, eighteen hundred and fifty-three, June three, eighteen hundred and fifty-eight, and July fourteen, eighteen hundred and sixty-two, two millions five hundred thousand dollars.

Approved, February 7, 1866.

CHAP. VIII.—An Act to regulate the Registering of Vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no ship or vessel, which has been recorded or registered as an American vessel, pursuant to law, and which shall have been licensed or otherwise authorized to sail under a foreign flag, and to have the protection of any foreign government during the existence of the rebellion, shall be deemed or registered as an American vessel, or shall have the rights and privileges of American vessels, except under the provisions of an act of Congress authorizing such registry.

Approved, February 10, 1866.

CHAP. IX.—An Act granting the franking Privilege to Mary Lincoln.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all letters and packets conveyed by post, to and from Mary Lincoln, widow of the late Abraham Lincoln, be conveyed free of postage during her natural life.

Approved, February 10, 1866.

CHAP. X.—An Act authorizing an Increase of the clerical Force in the Post Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the clerical force now authorized by law in the Post Office Department, the Postmaster General be, and he is hereby, authorized to appoint and employ four clerks of class one, seven of class two, fourteen of class three, and four of class four, and said clerks shall be paid until the thirtieth of June, eighteen hundred and sixty-six, out of any money in the treasury not otherwise appropriated.

Approved, February 16, 1866.

CHAP XII.—An Act to amend an Act entitled “An Act to prevent the Spread of foreign Diseases among the Cattle of the United States,” approved December eighteenth, eighteen hundred and sixty-five

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled “An act to prevent the spread of foreign diseases among the cattle of the United States,” approved December eighteenth, eighteen hundred and sixty-five, is hereby amended so as to read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the importation of neat cattle and the hides of neat cattle from any foreign country into the United States is hereby prohibited: Provided, however, That the operation of such law shall not include the importation of neat cattle and the hides of neat cattle from Canada.

Approved, February 10, 1866.

APPROVED, February 16, 1866.
Act suspended whenever, &c. Act may be made inoperative by proclamation of the President, &c. Penalty for violation of this act.

SEC. 2. And be it further enacted, That the President of the United States, whenever in his judgment the importation of neat cattle and the hides of neat cattle may be made without danger of the introduction or spread of contagious or infectious disease among the cattle of the United States, may, by proclamation, declare the provisions of this act to be inoperative, and the same shall be afterwards inoperative and of no effect from and after thirty days from the date of said proclamation.

SEC. 3. And be it further enacted, That any person convicted of a willful violation of any of the provisions of this act shall be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

APPROVED, March 6, 1866.

March 8, 1866. CHAP. XIII.—An Act to quiet the Title to certain Lands within the corporate Limits of the City of San Francisco.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right and title of the United States to the land situated within the corporate limits of the city of San Francisco, in the State of California, confirmed to the city of San Francisco by the decree of the circuit court of the United States for the northern district of California, entered on the eighteenth day of May, one thousand eight hundred and sixty-five, be, and the same are hereby, relinquished and granted to the said city of San Francisco and its successors, and the claim of the said city to said land is hereby confirmed, subject, however, to the reservations and exceptions designated in said decree, and upon the following trusts, namely, that all the said land, not herefore granted to said city, shall be disposed of and conveyed by said city to parties in the bona fide actual possession thereof, by themselves or tenants, on the passage of this act, in such quantities and upon such terms and conditions as the legislature of the State of California may prescribe, except such parcels thereof as may be reserved and set apart by ordinance of said city for public uses: Provided, however, That the relinquishment and grant by this act shall not interfere with or prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, whether derived from Spain, Mexico, or the United States, or preclude a judicial examination and adjustment thereof.

APPROVED, March 8, 1866.

March 19, 1866. CHAP. XV.—An Act to declare the Meaning of certain Parts of the Internal Revenue Act, approved June thirty, eighteen hundred and sixty-four, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in section one hundred and twenty of the act entitled “An act to provide internal revenue to support the Government, to pay interest on the public debt, and for other purposes,” approved June thirty, eighteen hundred and sixty-four, the words: “all dividends in scrip, or money thereafter declared due, and
whenever the same shall be payable, to stockholders, policy-holders or de-
positors," are hereby declared to mean all dividends in scrip or money
wherever payable, and all stockholders, policy-holders, depositors, or par-
ties whatsoever, including non-residents, whether citizens or aliens.

SEC. 2. And be it further enacted, That in section one hundred and
twenty-two of said act the word "stockholders" is hereby declared to
mean all persons or parties whatsoever that are or may be stockholders,
including non-residents, whether citizens or aliens; and the words "all
such interest or coupons, dividends or profits, whenever the same shall
be payable," are hereby declared to apply to all such interest or coupons,
dividends or profits wherever the same are or may be payable, and to whatso-
ever party or person the same are or may be payable, including non-resi-
dents, whether citizens or aliens.

SEC. 3. And be it further enacted, That it shall be the duty of all per-
sons required to make returns or lists of income and articles or objects
charged with any duty or tax, as provided by the act aforesaid, or any
act amendatory thereof, to declare in such returns whether the several
rates and amounts therein contained are stated according to their values
in legal tender currency, and in case of neglect or refusal so to state, to
the satisfaction of the assistant assessor receiving such returns or lists.
such assistant assessor is hereby required to make returns or lists for such
persons so neglecting or refusing, as in case of persons neglecting or re-
fusing to make the lists or returns required by the acts aforesaid, and to
assess the duty thereon, and to add thereto the amount of penalties im-
posed by law in case of such neglect or refusal.

SEC. 4. And be it further enacted, That whenever the rates and
amounts contained in the lists or returns as aforesaid shall be stated in
coined money, it shall be the duty of each assessor receiving the same
to reduce such rates and amounts to their equivalent in legal tender cur-
rency, according to the value of such coined money in said currency at
the time when and place where said lists or returns are receivable, and
which value the said assessor shall determine. And the lists required by
law to be furnished to collectors by assessors shall in all cases contain
the several amounts of taxes or duties assessed, estimated, or valued in
legal tender currency only.

SEC. 5. And be it further enacted, That the provisions of this act shall,
so far as necessary, apply to all returns, lists, assessments, and collections
required by the acts aforesaid in addition to those above mentioned, by
whomsoever made, returned, assessed, or collected, in any mode or for any
purpose whatever. And the Commissioner of Internal Revenue, under the
direction of the Secretary of the Treasury, is hereby authorized to make
all necessary rules and regulations for carrying this act into effect.

APPROVED, March 10, 1866.

CHAP XVI — An Act to establish certain Post Roads.

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

CALIFORNIA.

From Rio Vista, via Maine Prairie and Binghamton, to Silveyville.
From Red Bluff, via the Upper Sacramento river, Soda Springs, and
Shasta Valley, to Yreka.
From Red Bluff, via Payne's Creek, Mill Creek, and Big Meadows, to
Susanville.
From Chico, via Stony Creek and Coast Range, to Nine Mile Creek.
From Cloverdale, via the Lakeport and Cloverdale Wagon Road, to
Lakeport.
COLORADO.
From Central City, via Georgetown, to Argentine.
From Gold Dirt to South Boulder.
From Denver, via Mount Vernon and Idaho, to Empire City.

DAKOTA.
From Fort Wadsworth to Devils Lake.

INDIANA.
From Momence, Illinois, via Beaver Lake Ditch, Stringham's Point, and Pilot Grove, all in Newton county, Indiana, to Adrianne, Indiana.
From Fulton, via Millville, to Keenawha.

IOWA.
From Boonsboro' to Panora.
From Winterset, via Quincy, Clarinda, and Marysville, to Savannah, in Missouri.
From Indianola, via Lawrenceburg and Liberty Centre, to Chariton.
From Chariton, Lucas county, via Garden Grove, to Leon.
From Decorah to Hesper, in Winneshiek county.
From West Mitchell, in Mitchell county, by Plymouth and Mason City, to Clear Lake, in Cerro Gordo county.
From Postville, via Lybrand and Ludlow, to Waukon in Alamakee county.

KANSAS.
From Humboldt, Kansas, via Osage, Catholic Mission, and Chetopa, to Fort Gibson.
From Pleasant Hill, Missouri, via Blooming Grove, to Mound City, Kansas.
From Neosha Falls, Kansas, via Belmont, to Syracuse, in Wilson county.
From Fort Scott, via Mill Creek, Dayton, Mapleton, and Blue Mounds, to Garnett, tri-weekly.
From Verdigris Falls, via Virgil, to Pleasant Grove.
From Xenia to Walnut Hills.
From Council Grove to Albeline.
From Neosha Falls, via Mount Airy, to Liberty, in Woodson county.
From Emporia, via Madison, Shell Rock, Pleasant Grove, and Post Oak, to Fort Roes.
From Ottumwa, via Madison, Janesville, Eureka, and Darley's Mills, to Salt Spring.
From Enterprise, via Ottumwa, Sac and Fox Agency, Greenwood, Ottawa, and Paola, to Harrisonville, Missouri.
From Council Grove to Marion Centre.
From Ottawa, via James Carroll's, Jackson Mark's, and Mineral Point, to Burlington.
From Medina, via Oskaloosa, Winchester, and Easton, to Leavenworth.
From Lawrence, via Oskaloosa, to Grasshopper Falls.
From Perryville, (located on the route of the Union Pacific railroad,) via Oskaloosa and Easton, to Leavenworth.

MAINE.
From Porter, via North Parsonfield, Parsonfield, and North Newfield, to West Newfield, in York county.
Post routes.

MASSACHUSETTS.

From North Falmouth, by Hatchville and East Falmouth, to Waquoit.

MICHIGAN.

From Coopersville to Squire’s Ferry.

MINNESOTA.

From Paynesville, by Norway Lake, to Six-mile Timber, on Chippe-

way river.

From Hastings, via Cannon Falls, to Kenyon.

From Saint Cloud to Fort Ripley, on the west bank of the Mississippi

eriver.

From Watertown to Glencoe.

From Blue Earth city, Minnesota, to Yankton, Dakota Territory.

MINNESOTA.

From Paynesville, by Norway Lake, to Six-mile Timber, on Chippe-

way river.

From Hastings, via Cannon Falls, to Kenyon.

From Saint Cloud to Fort Ripley, on the west bank of the Mississippi

eriver.

From Watertown to Glencoe.

From Blue Earth city, Minnesota, to Yankton, Dakota Territory.

From Hutchinson, via Cedar, Greenleaf, Kandigoli, and Irving, to To-

crah.

From Henderson, by Arlington, New Auburn, Witadan Lake, and

Fort Wadsworth, in Dakota Territory, to Fort Rice, on Missouri river.

NEBRASKA.

From West Point, Cumming county, to Rock Creek, in said county,
ten miles.

From Pawnee City, via Frieces Mills, Nebraska, to Seneca, in Kansas.

From Dakota City, via West Point, to Columbus.

From Brownsville, Nebraska, to Rockport, Missouri.

From Big Sandy, Jones county, to Rose Creek, Nuckolls county.

From Plattsmonth, via Glendale, South Bend, Ashland, Salt Creek,

Rock Creek, Lancaster, Saline City, Saltillo, Centreville, Olive Branch,

Clatona, to Beatrice.

From Plattsmonth, via 8 Mile Grove, to Weeping Water.

From Decatur, via Logan Valley, West Point, St. Charles, and Jal-
apa, to Fremont.

From De Soto, via Arizona, to Decatur.

NEVADA.

From Carson, by way of Ophir, Washoe City, and Steamboat Springs,
to Huffacker’s Ranch, all in Nevada.

From Ione, by way of Canon City, to Austin, all in Nevada.

From Austin to Cortez, in Nevada.

From Austin, by way of Kingston, Twin river, and San Antonio Dis-
tict, to Silver Peak, all in Nevada.

From Virginia, by way of Sacramento District, Unionville, Star, Dung-
len, and Paradise Valley, in Nevada, to Boise City, in Idaho.

NEW YORK.

From Unadilla, in the county of Otsego, via Sidney, Tompkins, and

Masonville, to Cannonsville, in the county of Delaware.

The road from South New Berlin, in the county of Chenango, to Mor-
ris, in the county of Otsego, in the State of New York, is hereby declared
to be a post road.
OHIO.
From New Carlisle, via Brant, to Dayton.

OREGON.
From Auburn to Clarksville.
From Dalles City, on the Columbia river, to Umatilla, in Umatilla county.
From Umatilla, by Le Grand, in Union county to Baker City, in Baker county.

PENNSYLVANIA.
From Tylersport, in Montgomery county, to Seller's Tavern, in Bucks county.

VERMONT.
From Rassumpsie, via South Danville, to Danville.
From South Danville to West Danville.

WASHINGTON TERRITORY.
From Wallula, by Antoine Plants, Peru, D'Orville Lake, and Hell Gate, to Helena, Montana Territory.

WEST VIRGINIA.
Change route numbered four thousand one hundred and twenty-five, (4,125) from Middletown, in Tyler county, to Elleanuoro', in Ritchie county; and route Sisterville, in Tyler county, to Twiggs, in Pleasant county.

WISCONSIN.
From Watome, Waushara county, to Grand Rapids, Wood county

March 14, 1866. CHAP. XVII.—An Act to extend the Time for the Withdrawal of Goods for Consumption from public Store and bonded Warehouse, and for other Purposes.

Until May 1, 1866, goods, &c under bond, in any public, &c warehouse, on which duties are unpaid, may be withdrawn for consumption upon payment of duties.

After May 1, 1866, such goods may be withdrawn, within one year after importation, upon payment, &c.

How may be withdrawn after one year and within three years from date of importation.

The exportation of bonded goods and their transportation in bond not prevented.

Repeal of inconsistent acts.

APPROVED, March 14, 1866.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 18, 19, 20. 1866.

CHAP. XVIII. — An Act to further secure American Citizens certain Privileges under the Treaty of Washington.

March 16, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the produce of the forests of the State of Maine upon the Saint John river and its tributaries, owned by American citizens, and sawed or hewed in the Province of New Brunswick by American citizens, (the same being unmanufactured in whole or in part,) which is now admitted into the ports of the United States free of duty, shall continue to be so admitted under such regulations as the Secretary of the Treasury shall from time to time prescribe.

SEC. 2. And be it further enacted, That this act shall take effect from and after the seventeenth day of March, eighteen hundred and sixty-six.

APPROVED, March 16, 1866.

CHAP. XIX. — An Act in Relation to the Court of Claims.

March 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourteenth section of the act approved the third day of March, anno Domini eighteen hundred and sixty-three, entitled “An act to amend an act to establish a court for the investigation of claims against the United States,” approved February twenty-fourth, eighteen hundred and sixty-three, entitled “An act to amend an act to establish a court for the investigation of claims against the United States,” approved February twenty-fourth, eighteen hundred and sixty-three, and which was extended by the act approved February seventh, eighteen hundred and thirty-seven, and which was extended by the act approved February seventh, eighteen hundred and fifty-seven, be, and the same hereby repealed; and from the final judgment, or decree, in all cases heretofore decided by the Court of Claims, of the character mentioned in the fifth section of said act of March third, eighteen hundred and sixty-three, an appeal shall be allowed to the Supreme Court of the United States, at any time within ninety days after the passage of this act, except in such cases where the amounts found due by said Court have been paid at the treasury.

SEC. 2. And be it further enacted, That the regular session of the Court of Claims shall hereafter commence on the first Monday of December in each year.

SEC. 3. And be it further enacted, That at the end of every term of the Court of Claims, the Clerk of said Court transmit a copy of the decisions thereof to the heads of Departments; to the Solicitor, Comptrollers, and Auditors of the Treasury; to the Commissioners of the General Land Office and of Indian Affairs; to the Chiefs of Bureaus; and to other officers charged with adjusting claims against the United States.

APPROVED, March 17, 1866.

CHAP XX. — An Act to amend an Act to extend the Charter of the President and Directors of the Fireman’s Insurance Company of Washington and Georgetown, in the District of Columbia.

March 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sixth, seventh, eighth, ninth, and tenth sections of the act to incorporate the president and directors of the Firemen’s Insurance Company of Washington and Georgetown, in the District of Columbia, approved March third, eighteen hundred and thirty-seven, and which was extended by the act approved February seventh, eighteen hundred and fifty-seven, be, and the same hereby are, repealed; the fire companies which existed at the time of the passage of said acts, and upon which existence said sections were based, having ceased to exist.

SEC. 2. And be it further enacted, That the stock of said Firemen’s Insurance Company shall be issued, sold, transferred, and held in the same manner that the same might have been issued, sold, transferred, and held had those sections never existed.

APPROVED, March 17, 1866.
March 21, 1866.

1866, ch. 91.

Vol. xii. p. 509.

THIRTY-NINTH CONGRESS. Sess. I. Ch. 21. 1866.

CHAP. XXI. — An Act to amend an Act entitled "An Act to incorporate a national military and naval asylum, for the relief of the totally disabled Officers and Men of the volunteer Forces of the United States."

"The National Asylum for Disabled Volunteer Soldiers" established.

Powers, &c.

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, Secretary of War, Chief Justice of the United States, and such other persons as from time to time may hereafter be associated with them, according to the provisions of this act, are hereby constituted and established a board of managers of an establishment for the care and relief of the disabled volunteers of the United States army, to be known by the name and style of "The National Asylum for Disabled Volunteer Soldiers," and have perpetual succession, with powers to take, hold, and convey real and personal property, establish a common seal, and to sue and be sued in courts of law and equity; and to make by-laws, rules, and regulations for carrying on the business and government of the asylum, and affix penalties thereto: Provided, That such by-laws, rules, and regulations are not inconsistent with the laws of the United States.

SEC. 2. And be it further enacted, That the business of said asylum shall be managed by a board of twelve managers, who shall elect from their own number a president, who shall be the chief executive officer of the board, two vice-presidents, and a secretary; and seven of the board, of whom the president or one of the vice-presidents shall be one, shall form a quorum for the transaction of business at any meeting of the board.

SEC. 3. And be it further enacted, That the board of managers shall be composed of the President and Secretary of War and Chief Justice of the United States, ex officio, during their terms of office, together with nine other citizens of the United States, not members of Congress, no two of whom shall be residents of the same State, but who shall all be residents of States which furnished organized bodies of soldiers to aid in the late war for the suppression of the rebellion, (no person being ever eligible who gave aid or countenance to the rebellion,) to be selected by joint resolution of the Senate and House of Representatives immediately after the passage of this act. The term of office shall be for six years, and until others are appointed in their places, after the first election, which shall be of three for six years, three for four years, and three for two years, to be determined by the order in which they shall be named in the resolution. New elections shall be made by joint resolution of Congress, and vacancies by death, resignation, or otherwise, to be filled in like manner. No member of the board of managers shall receive any compensation as such member; but his travelling and other actual expenses while upon the business of the asylum may be paid. But any member of the board having other duties connected with the asylum may receive a reasonable compensation therefor, to be determined by the board.

SEC. 4. And be it further enacted, That the board of managers shall have authority to procure for early use, at suitable places, sites for military asylums for all persons serving in the army of the United States at any time in the war of the rebellion not provided for by existing laws, who have been or may hereafter be disqualified for procuring their own maintenance and support by reason of wounds received or sickness contracted while in the line of their duty during the present rebellion, and to have the necessary buildings erected, having due regard to the health of location, facility of access, and capacity to accommodate the persons provided for in this act.

SEC. 5. And be it further enacted, That for the establishment and support of this asylum there shall be appropriated all stoppages or fines adjudged against such officers and soldiers by sentence of court-martial or military commission, over and above the amounts necessary for the reimbursement of the Government or of individuals; all forfeitures on account...
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of desertion from such service; and all moneys due such deceased officers and soldiers, which now are or may be unclaimed for three years after the death of such officers and soldiers, to be repaid upon the demand of the heirs or legal representatives of such deceased officers or soldiers. And the said board of managers are hereby authorized to receive all donations of money or property made by any person or persons for the benefit of the asylum, and to hold or dispose of the same for its sole and exclusive use.

Sec. 6. And be it further enacted, That the officers of the asylum shall consist of a governor, a deputy governor, a secretary, and a treasurer, and such other officers as the board of managers may deem necessary, to be appointed from disabled officers serving as before mentioned, and they may be appointed and removed from time to time, as the interests of the institution may require, by the board of managers.

Sec. 7. And be it further enacted, That the following persons only shall be entitled to the benefits of the asylum, and may be admitted thereto, upon the recommendation of three of the board of managers, namely: All officers and soldiers who served in the late war for the suppression of the rebellion, and not provided for by existing laws, who have been or may be disabled by wounds received or sickness contracted in the line of their duty; and such of these as have no wife, child, nor parent dependent upon them, on becoming inmates of this asylum, or receiving relief therefrom, shall assign thereto their pensions when required by the board of managers, during the time they shall remain therein or receive its benefits.

Sec. 8. And be it further enacted, That the board of managers shall make an annual report of the condition of the asylum to Congress on the first Monday of every January after the passage of this act; and it shall be the duty of the said board to examine and audit the accounts of the treasurer and visit the asylum quarterly.

Sec. 9. And be it further enacted, That all inmates of the asylum shall be, and they are hereby, made subject to the rules and articles of war, and will be governed thereby in the same manner as if they were in the army of the United States.

Sec. 10. And be it further enacted, That the managers of the asylum shall have power and authority to aid persons who are entitled to its benefits by out-door relief in such manner and to such extent as they may deem proper, provided such relief shall not exceed the average cost of maintaining an inmate of the asylum.

Sec. 11. And be it further enacted, That so much of the act to which this is an amendment as provides for the establishment of a naval asylum in connection with a military asylum, and so much of said act as provides that all stoppages of fines adjudged against naval officers and seamen by sentence of courts-martial or military commission, all forfeitures on account of desertions from the naval service, and all moneys due to deceased naval officers and seamen which are or may be unclaimed for three years after the death of such officers or seamen, shall be appropriated for the establishment of the asylum contemplated and provided for by this act and the act of which it is amendatory, be, and the same is hereby, repealed.

Sec. 12. And be it further enacted, That all the property of the United States now at Point Lookout, St. Mary's county, Maryland, shall be and become the property of the asylum so soon as to the satisfaction of the board of managers shall be made to the asylum of at least three hundred acres of land, including that on which said property of the United States is now built and maintained or held.

Sec. 13. And be it further enacted, That Congress may at any time hereafter alter, amend, or repeal this act.

Approved, March 21, 1866.
March 21, 1866.

CHAP. XXII.—An Act quieting Doubts in Relation to the Validity of certain Locations of lands in the State of Missouri, made by Virtue of Certificates issued under the Act of Congress of February the seventeenth, eighteen hundred and fifteen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all locations of lands in the State of Missouri, purporting to have been made by virtue of certificates issued under the act of Congress, approved February the seventeenth, eighteen hundred and fifteen, entitled “An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes,” which are invalid in consequence of having been made or located after the expiration of the time specified by law for making said locations, shall be, and the same are hereby declared to be, as valid, and as binding, as if the said locations had been made and fully completed within the time prescribed by law, provided said locations shall be according to law in all other respects; but the foregoing provisions of this section shall not apply to, comprehend, include, or extend to any land within township forty-five, north of the base line, in range seven, east of the fifth principal meridian line in said State of Missouri.

SEC. 2. And be it further enacted, That the United States do hereby grant, relinquish, and convey, in fee simple, and in full property, to James Y. O'Carroll, or his legal representatives, all of the right, title, and interest of the United States in and to all of the land within survey number two thousand four hundred and ninety-eight, in township forty-five, north of the base line in range seven east of the fifth principal meridian line, in the State of Missouri, being the same land that was located by virtue of certificate number one hundred and fifty, issued to the said James Y. O'Carroll, or his legal representatives, under the act of Congress approved February the seventeenth, eighteen hundred and fifteen, entitled “An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes”; Provided, however, That nothing in this section shall grant, relinquish, or convey the whole or any part of any lot, tract, piece, or parcel of land in said township, which has been heretofore confirmed by the United States to any person or persons, or to the legal representatives of any person or persons: And provided further, That nothing in this act shall be so construed as to invalidate or impair any patent heretofore issued by the United States, or shall in any manner abridge, divest, impair, injure, or prejudice any valid adverse right, title, or interest of any person or persons in or to any portion or part of the aforesaid land which is granted, relinquished, and conveyed by this act.

APPROVED, March 21, 1866.

April 6, 1866.

CHAP. XXIV.—An Act more effectually to provide for the Punishment of certain Crimes against the United States.

The forging, &c., of any bond, public record, &c., with intent to defraud the United States, or willingly aiding therein, or the knowingly uttering, with such intent, any such bond, &c., made a felony, and how punished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person or persons shall falsely make, alter, forge, or counterfeit; or cause or procure to be falsely made, altered, forged, or counterfeited; or willingly aid or assist in the false making, altering, forging, or counterfeiting any bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States; or shall utter or publish as true, or cause to be uttered or published, as true, any such false, forged, altered or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing, for the purpose of defrauding the United States, knowing the same to be false, forged, altered, or counterfeited; or shall transmit to, or present at, or cause or procure to be transmitted to, or presented at, the office of any officer of the United States; any such false, forged, altered, or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other
writing, knowing the same to be false, forged, altered, or counterfeited, for the purpose of defrauding the United States; every such person shall be deemed and adjudged guilty of felony, and being thereof duly convicted, shall be sentenced to be imprisoned, and kept at hard labor, for a period not exceeding ten years, or be fined not exceeding one thousand dollars, or both of said punishments in the discretion of the court.

Sec. 2. And be it further enacted, That if any offence shall be committed in any place which has been, or shall hereafter be, ceded to, and under the jurisdiction of the United States, which offence is not prohibited, or the punishment thereof is not specially provided for by any law of the United States, such offence shall, upon conviction in any court of the United States having cognizance thereof, be liable to, and receive the same punishment as the laws of the State in which such place is, or may be situated, now in force, provided for the like offence when committed within the jurisdiction of such State; and no subsequent repeal of any such State law shall affect any prosecution for such offence in any of the courts of the United States.

Approved, April 5, 1866.

CHAP. XXV. — An Act to provide for the Transfer of the Custody of the Library of the Smithsonian Institute to the Library of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the library collected by the Smithsonian Institution under the provisions of an act approved August tenth, eighteen hundred and forty-six, shall be removed from the building of said institution, with the consent of the regents thereof, to the new fire-proof extension of the library of Congress, upon completion of a sufficient portion thereof for its accommodation, and shall, while there deposited, be subject to the same regulations as the library of Congress, except as hereinafter provided.

Sec. 2. And be it further enacted, That when such library shall have been so removed and deposited, the Smithsonian Institution shall have the use thereof in like manner as it is now used, and the public shall have access thereto for purposes of consultation on every ordinary week day except during one month of each year, in the recess of Congress, when it may be closed for renovation. All the books, maps, and charts of the Smithsonian library shall be properly cared for and preserved in like manner as are those of the Congressional library, from which the Smithsonian library shall not be removed except on reimbursement by the Smithsonian Institution to the Treasury of the United States of expenses incurred in binding and in taking care of the same, or upon such terms and conditions as shall be mutually agreed upon by Congress and the regents of said Institution.

Sec. 3. And be it further enacted, That the Smithsonian Institution, through its secretary, shall have the use of the library of Congress, subject to the same regulations as Senators and Representatives.

Sec. 4. And be it further enacted, That the librarian of Congress shall be authorized to employ two additional assistants, who shall receive a yearly compensation of eight hundred dollars, and one thousand dollars, respectively, commencing July one, eighteen hundred and sixty-six, to be paid out of any money in the treasury not otherwise appropriated.

Sec. 5. And be it further enacted, That the sum of five hundred dollars, or so much thereof as may be necessary, shall be appropriated, out of any money in the treasury not otherwise appropriated, to defray the expenses of the removal herein provided for.

Approved, April 5, 1866.
CHAP. XXVI — An Act to provide for a Term of the District Court for the District of Minnesota, to be held at the City of Winona in said District.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, and until otherwise provided by law, there shall be held, annually, on the first Monday in June, a term of the district court of the United States for the district of Minnesota at the city of Winona, in said district, and all process, writs, and recognizances, civil and criminal, which may have been, or may hereafter be, issued and made returnable at Mankato, shall be returned to the said term of the said court at the said city of Winona, in like manner and with the like effect as if originally made returnable thereto.

SEC. 2. And be it further enacted, That all acts or parts of acts which require a term of said court to be held at Mankato, in said district, be, and the same are hereby, repealed.

APPROVED, April 6, 1866.

CHAP. XXVII. — An Act to amend the Act entitled "An Act for the Relief of Seamen and Others borne on the Books of Vessels wrecked or lost in the naval Service," approved July four, eighteen hundred and sixty-four, and sixty-four, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case any officer of the navy or marine corps on board a vessel in the employ of the United States which, by any casualty, or in action with the enemy, has been or may be sunk or otherwise destroyed, shall thereby have lost his personal effects, the proper accounting officers are hereby authorized, with the approval of the Secretary of the Navy, to allow to such officer a sum not exceeding the amount of his sea pay for one month, as compensation for said loss: Provided, that such loss has not occurred through the negligence or want of skill or foresight of the officer making application for such loss: Provided, That the accounting officers shall in all cases require a schedule and certificate from the officer making the claim for effects so lost: And provided further, That no allowance shall be made by virtue of this act for any loss incurred prior to the nineteenth day of April, eighteen hundred and sixty-one.

SEC. 2. And be it further enacted, That so much of the seventh section requiring bounty-money of mariners, &c., enlisting into the navy from the army, to be deducted from prize-money, repealed. 1863, ch 75
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1864, ch 18, § 7
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CHAP. XXVIII. — An Act making additional Appropriations, and to supply the Deficiencies in the Appropriations for sundry civil Expenses of the Government for the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-six, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, and to supply deficiencies in the appropriations, for the service of the fiscal year ending the thirtieth of June, eighteen hundred and sixty-six, out of any money in the treasury not otherwise appropriated, namely:

Survey of the Coast. — For the survey of the Atlantic and Gulf coasts of the United States, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy.
and petty officers and men of the navy employed in the work, one hundred and twenty thousand dollars.

For continuing the survey of the western coast of the United States, including compensation of civilians engaged in the work, seventy-five thousand dollars.

For continuing the survey of the reefs, shoals and keys of South Florida, including compensation of civilians engaged in the work, and excluding pay and emoluments of the officers of the army and navy and petty officers and men of the navy employed in the work, eleven thousand dollars.

For publishing the observations made in the progress of the survey of the coast of the United States, including compensation of civilians employed in the work, four thousand dollars.

For repairs of steamers and sailing schooners used in the coast survey, twenty thousand dollars.

For pay and rations of engineers for steamers used in the hydrography of the Coast Survey, no longer supplied by the Navy Department, six thousand dollars.

Light-House Establishment. — For the Atlantic, Gulf, and Lake coasts, viz:

For supplying the light-houses and beacon-lights with oil, wicks, glass chimneys, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus, one hundred and eighty-three thousand two hundred and eighty-seven dollars.

To supply deficiency in estimate for supplies of oil, wicks, glass chimneys, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus, seventeen thousand dollars.

For repairs and incidental expenses of light-houses and lighted beacons, one hundred and thirty thousand dollars.

To supply a deficiency in estimate for repairs and incidental expenses of light-houses, fifty thousand dollars.

For salaries of five hundred and eighty-nine keepers of light-houses and lighted beacons, and their assistants, two hundred and thirteen thousand one hundred and ninety-three dollars and thirty-three cents.

For salaries of forty-three keepers of light-vessels, twenty-three thousand nine hundred dollars.

For mates' and seamen's wages, repairs, supplies, and incidental expenses of forty-three light-vessels, two hundred and eighteen thousand nine hundred and seventeen dollars and seventy-five cents.

To supply deficiency in estimate for seaman's wages, repairs, supplies, and incidental expenses for light-vessels, twenty-three thousand three hundred and twenty-one dollars and seventy-five cents.

For expenses of weighing, cleaning, repairing, painting, replacing, and supplying losses of buoys, chains, moorings, and incidental expenses of the same, and for repairing and keeping in repair all the day-marks, beacons, spindles, and monuments, and for expenses of coloring and numbering all the buoys and beacons, one hundred and twelve thousand three hundred and fifty dollars.

For expenses of visiting and inspecting lights and other aids to navigation, two thousand dollars.

For the Coasts of California, Oregon, and Washington — For supplying light-houses and beacon-lights with oil, glass chimneys, and wicks, chamois skins, polishing powder, and other cleaning materials, transportation, and expenses of keeping lamps and machinery in repair, thirty-three thousand and thirty dollars.

For repairs and incidental expenses of light-houses and lighted beacons, fifteen thousand dollars.

For salaries of forty keepers and assistant keepers of light-houses, at an average not exceeding eight hundred dollars per annum, thirty-two thousand dollars.
Light-houses, For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

To supply deficiency in estimate for raising, cleaning, painting, remooring, and supplying losses of buoys, fifty thousand dollars.

Special works. For special works, viz:

For rebuilding sea-wall at Sand's Point light-station, New York, fourteen thousand eight hundred dollars.

For rebuilding sea-wall, and repairs to tower at Nayat Point lighthouse, Rhode Island, six thousand five hundred dollars.

For replacing the present stakes at Whitehall Narrows, New York, by approved structures, nine thousand four hundred dollars.

For repairs and renovations at Little Gull Island light-station, New York, three thousand dollars.

For a new light-house on Hart Island, New York, or vicinity, six thousand six hundred dollars.

For a new light-house on North Brother Island, or vicinity, East River, New York, eight thousand five hundred dollars.

For repairs and renovations at Split Rock light-station, Lake Champlain, nine thousand six hundred dollars.

For repairs and renovations at Galloo Island light-station, fifteen thousand dollars.

For beacons in Providence river, Rhode Island, on Conanicut and Block's Points, in addition to previous appropriations, seventeen thousand dollars.

For banking in light-house site at Cohansey, Delaware Bay, four thousand five hundred dollars.

For a new iron stairway at Cape Henlopen light-house, twelve thousand dollars.

For a new light-house at Sharp's Island, Maryland, fifteen thousand dollars.

For new lanterns at Clay Island, Fog Point, Watt's Island, Turkey Point, Havre de Grace, and Fishing Battery light-houses, six thousand dollars.

For a new iron stairway at Cape Henry light-house, Virginia, twelve thousand dollars.

For new iron stairways at Cape Lookout and Cape Hatteras light-houses, North Carolina, twenty thousand dollars.

For repairs and renovations at Turtle Island light-station, Ohio, twelve thousand dollars.

For rebuilding Green Island light-house, Ohio, thirteen thousand seven hundred dollars.

For protecting the foundation on which Waugoshance light-house is constructed, ninety thousand dollars.

For renovations and repairs at Windmill Point light-house, Lake Saint Clair, three thousand five hundred dollars.

For rebuilding outer-range light at Cedar Point, Sandusky bay, Ohio, twenty thousand dollars, or so much thereof as may be necessary.

For range lights at Portage entry, Michigan, one thousand five hundred dollars.

For new keeper's dwelling at Beaver Island light-station, Michigan, five thousand eight hundred dollars.

For repairs and renovations at Marquette light-station, Michigan, thirteen thousand dollars.

For repairs and renovations at Cooper Harbor light-station, Michigan, thirteen thousand seven hundred dollars.

For repairs and renovations at Ontonagon light-station, Michigan, fourteen thousand dollars.
For beacon lights at the mouth of Fox river, Wisconsin, six thousand dollars.

For a beacon light on the landing at Santa Barbara, California, six thousand seven hundred dollars.

To enable the Light-House Board to re-establish lights and other aids to navigation discontinued by the enemy on the southern coast, one hundred thousand dollars.

To enable the Light-House Board to experiment with new illuminating apparatus and fog signals, three thousand four hundred dollars.

For a new light-house at the mouth of North river, Albemarle sound, North Carolina, fifteen thousand dollars.

For repairs and renovations at Tybee light-house, Georgia, twenty thousand dollars.

For rebuilding light-house at Presque Isle, Pennsylvania, (Lake Erie,) upon the most eligible site under the control of the Light-House Board, twenty-five thousand dollars.

For repairs and renovations at Mamaguda light-station, Detroit river, seven thousand five hundred dollars.

For repairs and renovations at Kenosha light-station, Wisconsin, four thousand dollars.

For repairs and preservation of public buildings, especially southern buildings, fifty thousand dollars.

For furniture, carpets, and miscellaneous items for the same, fifteen thousand dollars.

For continuation of the north wing of the Treasury extension, two hundred thousand dollars.

For completion of the Dubuque, Iowa, custom-house, post-office, and United States court-room, fifteen thousand dollars.

For completion of alterations of the Cincinnati custom-house, twenty-two thousand dollars.

For completion of alterations of the Philadelphia custom-house, thirty thousand dollars.

For payment of claims due for the constructing and furnishing the Baltimore court house, one hundred and nine thousand dollars.

For payment of claims due for the repair of Government warehouses and construction of wharves, Staten Island, New York, twenty-nine thousand dollars.

For burglar proof safes, or vaults, twenty thousand dollars.

For heating of old Treasury building, ten thousand dollars.

For office furniture and repairs of furniture and miscellaneous expenses for Treasury bureaus, Washington, twenty thousand dollars.

Public Buildings and Grounds. — For error in compensation of employees in the Interior Department, to wit: one messenger, at one thousand dollars, and two assistants, at eight hundred and forty dollars each, forty dollars.

For compensation of two night watchmen at the President’s House, at six hundred dollars, each, per annum, one thousand two hundred dollars.

For additional compensation of twenty per centum to two night watchmen, at six hundred dollars each, two hundred and forty dollars.

For deficiency due the Navy Department, for use of pile-driver, men, oil, and engine, while repairing navy yard bridge, two thousand nine hundred and fifty-nine dollars and sixty-six cents.

For deficiency in consequence of relaying and repaving all the crossings of the streets intersecting Pennsylvania avenue, on the north side, from the Capitol to the Treasury Department, ten thousand dollars.

For deficiency in repairing the conservatory at the President’s House, seven thousand five hundred dollars.

To enable the Commissioner of Public Buildings to properly refurbish and repair the President’s House, in conformity with his estimate, forty-
six thousand dollars, the old furniture to be disposed of under the direction of the Secretary of the Interior.

Library of Congress.

For purchase of coal and pay of firemen to warm the library of Congress one thousand five hundred dollars.

Transient paupers in Washington.

For care, support, medical and surgical treatment for forty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, to be selected by the Commissioner of Public Buildings, twelve thousand dollars.

Public grounds.

For hire of carts on the public grounds, two thousand dollars.

For purchase and repair of tools used in the public grounds, four hundred dollars.

For purchase of trees and tree-boxes, to replace, when necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

Repairs of capitol.

For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements, and other walks within the Capitol square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, in addition to old material sold, eight thousand dollars.

Room for supreme court.

For fitting up rooms in the basement, under the court-room of the Supreme Court, for a consultation room for the court, six thousand five hundred dollars.

Sewers and paving.

To enable the Commissioner of Public Buildings to pay for sewers and paving in front of Government property constructed under the act of May five, eighteen hundred and sixty-four, thirty-two thousand and seventy dollars: Provided, That no payment shall be made on account of any appropriations herein contained to reimburse the city of Washington for improvements heretofore constructed in front of or through the public grounds, until the items have been properly examined and audited as to legality and amount by the proper officer of the Treasury.

Public grounds.

For improvement of grounds, purchase of plants for garden, and contingent expenses incident thereto, two thousand dollars.

Fuel.

For fuel, in part, for the President's House, five thousand dollars.

Lighting capitol, &c.

For lighting the Capitol and President's House, the public grounds around them, and around the executive offices, and Pennsylvania avenue, Bridge and High streets, in Georgetown, Four-and-a-half street, Seventh and Twelfth streets across the Mall, and Maryland avenue west, and Sixth street south, eighty-five thousand dollars.

Bridges and streets.

For repairs of the Potomac and upper bridges, six thousand dollars.

For repairs of Pennsylvania avenue, and keeping it clean, and for sprinkling the same, ten thousand dollars.

Reservations.

For public reservation number two and Lafayette square, in addition to any sum heretofore received or that may hereafter be received for the sale of hay raised on the grounds, two thousand dollars.

Public grounds.

For taking care of the grounds south of the President's House, and continuing the improvement of the same, three thousand dollars.

Water-pipes, sewers, &c.

For repairs of water-pipes, five hundred dollars.

For cleaning and repairing sewer traps on Pennsylvania avenue, three hundred dollars.

For casual repairs of all the furnaces under the Capitol, five hundred dollars.

For an additional watchman in reservation number two, seven hundred and twenty dollars.

For casing with stone and erecting a wall in front of the north basement of the old part of the Capitol, so as to correspond with the south basement already completed, four thousand three hundred dollars.

For completing the sewer through the botanic garden, twenty thousand five hundred and five dollars.
For taking up and relaying with stone flagging the brick pavement in front of the War and Navy Departments, on Seventeenth street, three thousand dollars.

For stone crossings at the streets intersecting Pennsylvania avenue, five thousand dollars.

For repairing, re-glazing, re-painting, and putting in thorough order the greenhouse at the President's, five thousand dollars.

For repairing roof of the old portion of the Capitol, five thousand four hundred and fifty dollars.

To meet the expenditure made by the Commissioner of Public Buildings in illuminating the Capitol and the government portion of the City Hall, two hundred and fifty dollars.

For hauling manure for the public grounds, five hundred dollars.

For the protection and improvement of Franklin square, two thousand dollars.

For painting the President's House inside and out, eight thousand dollars; to be expended by the Commissioner of Public Buildings.

For reconstructing fence (destroyed by fire) around the Smithsonian Institution, two hundred dollars.

For fuel for centre building of Capitol, fifteen hundred dollars.

For completing the dome of the Capitol, fifty thousand dollars.

For supplying deficiency in appropriation for lighting the Capitol and President's House and public grounds around them, and around the executive offices and Pennsylvania avenue; Bridge and High streets, Georgetown; Four-and-a-half street, Seventh street, and Twelfth street across the Mall, and Maryland avenue west, and Sixth street south, thirteen thousand dollars.

For sweeping and cleaning Pennsylvania avenue prior to the inauguration on the fourth of March, eighteen hundred and sixty-five, one thousand dollars.

For carrying the Potomac water into that portion of the President's House occupied for offices, and all the necessary fixtures, three thousand dollars.

For supplying deficiency in appropriation for fuel for the President's House and Capitol, six thousand dollars.

For continuing the work on the Capitol extension, one hundred and seventy-five thousand dollars.

For casual repairs of Patent Office Building, ten thousand dollars.

For defraying the expenses incident to the death and burial of Abraham Lincoln, late President of the United States, thirty thousand dollars.

For salary of warden of the jail in the District of Columbia, sixteen hundred dollars.

For the support and maintenance of the convicts transferred from the District of Columbia to such place or places as may be selected by the Secretary of the Interior, thirty thousand dollars.

For the preservation of the collections of the exploring and surveying expeditions of the government, four thousand dollars.

Office of the Secretary of State.—For publication of the laws, eight thousand dollars.

For extra clerk hire, eight thousand dollars.

For the pay of the United States Commissioner, and for the pay of the United States Surveyor, and for incidental expenses in the execution of the duty assigned to the joint commission appointed under the first article of the reciprocity treaty between the United States and Great Britain of the fifth of June, eighteen hundred and fifty-four, from November first, eighteen hundred and sixty-five, to March, eighteen hundred and sixty-six, and for drafting and compilation of the final chart, showing the places "reserved from the common liberty of fishing," their limits and descriptions, fifteen hundred dollars, or so much thereof as may be necessary.
Office of Attorney General. — For deficiency in appropriations for salaries under act of March third, eighteen hundred and sixty-five, three thousand three hundred dollars.

For deficiency in appropriation for contingent expenses, three thousand five hundred dollars.

For pay of two temporary clerks from January first to June thirty, eighteen hundred and sixty-six, twelve hundred dollars.

For stationery, furniture, and other contingencies, and for books and maps for the Library for the Interior Department, three thousand dollars.

For compensation for temporary clerks in the Pension Bureau for the current fiscal year, twenty thousand dollars.

Government Hospital for the Insane. — For the support, clothing, and medical treatment of the insane of the army and navy and the revenue cutter service, and of the District of Columbia, at the government hospital for the insane in said District, including five hundred dollars for books, stationery, and incidental expenses, ninety thousand five hundred dollars.

For finishing, furnishing, and lighting additional accommodations in the east wing; for new bedding for the west wing, and for the extension and replanking of the coal wharf, ten thousand dollars.

For continuation of the wall enclosing the grounds of the hospital, ten thousand dollars.

For removing and repairing three old frame houses and building two new cottages for the occupation of the employees of the hospital having families, six thousand dollars.

Patent Office. — For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand eight hundred dollars.

For preparing illustrations and descriptions for report, six thousand dollars.

For finishing the saloon in the north wing of the Patent Office building, and for furnishing the same with suitable accommodations for the reception and convenient exhibition of the models, thirty thousand dollars: Provided, That in the purchase of carpets for any of the public buildings or offices under any appropriations herein provided, they shall be of domestic manufacture.

Census Office. — For making good the aggregate difference between the original rates of salaries paid the clerks and employees of the Census Office, before they were assigned to the General Land Office, from June one to December thirty-one, eighteen hundred and sixty-five, two thousand four hundred and fifty dollars and thirty-one cents.

For paying the salaries at the original census rate, of principal clerk and other clerks and one employee from January one to June thirty, eighteen hundred and sixty-six, six thousand four hundred and sixty dollars.

For incidental expenses of the Census Office, fifteen hundred dollars.

In the office of the engineer, Department of the Interior, viz:

For one clerk, six months, at one thousand eight hundred dollars per annum, nine hundred dollars.

For one clerk, six months, at one thousand five hundred dollars per annum, seven hundred and fifty dollars.

For one clerk, six months, at one thousand two hundred dollars per annum, six hundred dollars.

For mileage of Government engineer from Cincinnati, Ohio, to Omaha, Nebraska, and thence to Washington, in July, eighteen hundred and sixty-five, directed by the President of the United States to examine and report upon Union Pacific railroad routes west from Omaha, two thousand nine hundred and two miles, at ten cents per mile, two hundred and ninety dollars and twenty cents.

For mileage of the same, from Washington to New York and back, in
August, eighteen hundred and sixty-five, on account of Union Pacific railway, two hundred and twenty-five miles, each way, at ten cents per mile, forty-five dollars.

For cost of completing bridge over Big Sioux river, near Sioux City, and government wagon road from Sioux City, Iowa, to Fort Randall, Dakota Territory, in addition to former appropriations, ten thousand dollars.

For commutation of quarters and fuel to officer of corps of engineers, United States army, in charge of engineer office, Department of the Interior, agreeably to army regulations, from first August, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six, to be paid by Department of the Interior, agreeably to army regulations, eleven hundred and thirty-seven dollars and sixty-four cents.

For contingencies, two thousand dollars.

Library of Congress.—For purchasing files of leading American newspapers for the Library of Congress, one thousand five hundred dollars.

To enable the Joint Committee on the Library to pay the first installment due on a contract made with William H. Powell for a naval picture to be placed in the Capitol, in pursuance of a joint resolution approved March second, eighteen hundred and sixty-five, two thousand dollars.

Botanic Garden.—For grading, draining, procuring manure, tools, fuel, and repairs, purchasing trees and shrubs, under the direction of the Library Committee of Congress, three thousand three hundred dollars.

For pay of superintendent of botanic garden, and assistants in the botanic garden and green-houses, to be expended under the direction of the Library Committee of Congress, six thousand one hundred and forty-five dollars and eighty cents.

For the purchase and removal of materials, and for erecting four green-houses in the botanic garden, to be expended under the direction of the Joint Committee on the Library, twenty-five hundred dollars.

Columbian Institution for the Deaf and Dumb.—For salaries and incidental expenses, including five hundred dollars for the purchase of books and illustrative apparatus, twelve thousand five hundred dollars.

For the erection, furnishing, and fitting up of the two extensions to the buildings, to provide enlarged accommodations for the male department, and to furnish rooms for the instruction of the pupils in useful labor, thirty-nine thousand four hundred and forty-five dollars and eighty-seven cents.

For the proper enclosure, grading, and improvement of the grounds of the institution, three thousand five hundred dollars.

Surveying the Public Lands.—For surveying the public lands in Wisconsin, six thousand dollars.

For surveying the public lands in Minnesota, fifteen thousand dollars.

For surveying the public lands in Dakota Territory, five thousand dollars.

For surveying the public lands in Nebraska Territory, twenty-five thousand dollars.

For surveying the public lands in Kansas, twenty-five thousand dollars.

For surveying the public lands in Colorado Territory, fifteen thousand dollars.

For surveying the public lands in Nevada, fifteen thousand dollars.

For surveying the public lands in New Mexico, five thousand dollars.

For surveying the public lands in California, thirty thousand dollars.

For surveying the public lands in Oregon, twenty thousand dollars.

For surveying the public lands in Washington Territory, twenty thousand dollars.

To supply a deficiency in the fund for the relief of sick and disabled seamen, one hundred and seventy thousand dollars.
Miscellaneous. — For the fencing in, repair and completion of the United States court-house and post-office at Indianapolis, Indiana, and paving the sidewalks in front of the same, the sum of eight thousand dollars, or such part thereof as may be necessary.

For the alteration and repair of the court-house in the city of Boston, five thousand dollars.

For repairs of United States marine hospital at Cleveland, in the State of Ohio, eight thousand dollars.

For facilitating communication between the Atlantic and Pacific States by electrical telegraph, forty thousand dollars.

For expenses in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds and other securities of the United States, as well as the coins of the United States, fifty thousand dollars.


To enable the Secretary of the Interior to adjust and settle the accounts of D. S. Payne, for enumerating the inhabitants of the Territory of Idaho, under the direction of the governor of said Territory, as authorized by the act of March three, eighteen hundred and sixty-three, entitled "An act to provide a temporary government for the Territory of Idaho," the sum of eight thousand eight hundred dollars, or so much thereof as may be necessary.

Custom-house at Portland, Me.

For building a custom-house at Portland, Maine, in addition to the sum heretofore appropriated by Congress, seventy-five thousand dollars: Provided, That the Secretary of the Treasury may, if he thinks it advisable, expend a sum, not exceeding thirty-five thousand dollars, in the purchase of ground adjoining the site of the old custom-house on Fore street, now owned by the United States, for the purpose of enlarging the same, or the Secretary may exchange the lot now owned as aforesaid for a more eligible one, if the same can be procured; but no money shall be paid or agreed to be paid by the United States in consideration of such exchange, and no transfer, assignment, or conveyance of property by the United States shall be made upon such exchange, except a conveyance, on its behalf, by the Secretary of the Treasury, of the interest of the United States in the lot aforesaid and the building thereon.

Saint Albans.

For building a custom-house at Saint Albans, in the State of Vermont, ten thousand dollars.

Census of Arizona.

For expenses of the census of Arizona Territory, taken in the year eighteen hundred and sixty-four, to be audited and paid under the supervision of the Secretary of the Interior; four thousand one hundred and sixty dollars.

Portland.

For securing the right of way and building a bridge across the canal to the marine hospital near Portland, Maine, three thousand dollars.

Providence.

For making alterations and repairs in the custom-house, court-house, and post-office building, at Providence, Rhode Island, three thousand dollars.


For compensation of the revenue agent stationed at New York, in addition to the sum authorized by the act of June thirtieth, eighteen hundred and sixty-four, including one thousand dollars for the current fiscal year, two thousand dollars.

Compilation of laws relating to revenue, &c.

For one thousand copies of a compilation of the laws of the United States relating to revenue, commerce, and navigation, now in course of preparation for the press at the Treasury Department, such sum as may be necessary therefor in the discretion of the Secretary of the Treasury, and not exceeding seven thousand dollars.

William Handy. To enable the Secretary of the Treasury to pay to William Handy, of the Treasury Department, for extra clerical services, such sum as may be found due, not exceeding five hundred dollars.

John Hopley. For compensation to John Hopley, for services in indexing the national currency act, one hundred dollars.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 28. 1866.

For additional compensation to the publishers of the Statutes at Large, eight thousand five hundred and seventy-five dollars and sixty-nine cents.

For refitting the rear basement rooms of the old Treasury building for office purposes, eleven thousand dollars.

For the purchase of the property in Washington city, known as Ford's theatre, for the deposit and safe-keeping of documentary papers relating to the soldiers of the army of the United States, and of the museum of the medical and surgical department of the army, one hundred thousand dollars.

SEC. 2. And be it further enacted, That the ninth section of the act entitled "An act making appropriations for sundry civil expenses of the Government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the thirtieth of June, eighteen hundred and sixty-three, and for other purposes," approved March third, eighteen hundred and sixty-three, appropriating thirty per centum of the cost of engraving the special dies for internal revenue stamps, not to exceed in amount twenty thousand dollars, be, and the same is hereby, so amended as to enable the Secretary of the Treasury to pay the contractors, Butler and Carpenter, the said sum of twenty thousand dollars in full of all claims for indemnity.

SEC. 3. And be it further enacted, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase for the United States an appropriate building site at Island Pond, or at some point northerly of Island Pond and south of the Canadian boundary line, in the State of Vermont, and to cause to be erected thereon a suitable building for the use of such officers of the customs as are or may be stationed at that place: Provided, That the cost of such purchase and erection shall not exceed the sum of ten thousand dollars; which amount is hereby appropriated for the purpose.

SEC. 4. And be it further enacted, That the sum of four thousand dollars, appropriated by "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June thirty, eighteen hundred and sixty-five," approved June twenty-five, eighteen hundred and sixty-five, to enable the Joint Library Committee to purchase a complete file of selections from European periodicals, from eighteen hundred and sixty-one to eighteen hundred and sixty-four, relating to the rebellion in the United States, to be deposited in the library, is hereby transferred to the fund for the purchase of books for the Library of Congress, to be expended one half for the purchase of law books and one half for the purchase of miscellaneous books for said library.

SEC. 5. And be it further enacted, That the President of the United States be, and hereby is, authorized to expend during the fiscal year ending the thirtieth day of June, eighteen hundred and sixty-six, so much of the appropriation of second March, eighteen hundred and sixty-one, as he may deem expedient and proper, not exceeding in the whole ten thousand dollars, for compensation to United States marshals, district attorneys, and other persons employed in enforcing the laws for the suppression of the African slave-trade, for any services they may render, and for which no allowance is otherwise provided by law; and also so much of said appropriation as may be necessary to pay the salaries of the judges and arbitrators appointed by him, pursuant to the act of Congress approved July eleven, eighteen hundred and sixty-two, entitled "An act to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade," and for the expenses of the mixed courts of justice provided for by said treaty.

SEC. 6. And be it further enacted, That the authority to sell the property known as the Pennsylvania Bank building, in accordance with the acts approved June twenty-third, eighteen hundred and sixty, section two, may be sold.
and March fourteenth, eighteen hundred and sixty-two, section five, is hereby conferred upon the Secretary of the Treasury: Provided, That the property be sold at public auction, and for a sum not less than one hundred and ten thousand dollars.

Sec. 7. And be it further enacted, That the Secretary of the Treasury is hereby authorized to increase the clerical force in the office of the assistant treasurer of Philadelphia, and the aggregate salaries of said clerks shall not exceed the sum of nine thousand dollars, which amount is hereby appropriated out of any money in the treasury not otherwise appropriated.

Sec. 8. And be it further enacted, That, in addition to the appropriations hereinbefore allowed for the branch mint at California, the following sums respectively are hereby, in like manner, appropriated, viz:

For wages of workmen and adjusters, sixty-nine thousand four hundred and fifty dollars.

For incidental and contingent expenses, repairs, and wastage, one hundred and six thousand five hundred and twenty-nine dollars and twenty-nine cents.

Sec. 9. And be it further enacted, That in addition to the appropriations hereinbefore made for the Territory of Arizona, the following sums are hereby appropriated, viz:

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses, five thousand dollars.

For preparation and printing laws of the Territory, five thousand dollars.

Sec. 10. And be it further enacted, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for deficiencies in the appropriations for the objects hereinafter expressed, viz:

For compensation of the officers, clerks, messengers and others, receiving an annual salary in the service of the House of Representatives, one thousand four hundred and twenty-nine dollars and sixty-four cents.

For clerks of committees, and temporary clerks in the office of the Clerk of the House of Representatives, four thousand one hundred and eighty dollars.

For contingencies, and packing boxes, for members, twenty thousand dollars.

For pages and temporary mail boys, two thousand three hundred dollars.

For stationery, thirteen thousand four hundred and thirty-two dollars.

For folding documents, including materials, twenty-five thousand dollars.

For miscellaneous items, ten thousand dollars.

Contingent expenses of the Senate, namely:

For stationery, fifteen thousand dollars.

For clerks, pages, horses, carryalls, and so forth, twenty-seven thousand dollars.

For miscellaneous items, five thousand dollars.

For fuel and repairs of heating and ventilating apparatus, to be provided under the charge of the sergeant-at-arms, sixteen thousand two hundred and fifty dollars.

For furniture purchased, and repairs done by the Sergeant-at-arms, under the direction of the Committee to audit and control the contingent expenses of the Senate, twenty-three thousand five hundred dollars.

For additional labor in the folding room and around Senate chamber, five thousand dollars.
To supply a deficiency in the appropriation for the Capitol police under the act of April twenty-two, eighteen hundred and fifty-four, to be paid to the widow of David Vose, late a policeman in the crypt, being twenty per centum on his salary from December four, eighteen hundred and sixty-one, to July eight, eighteen hundred and sixty-four, five hundred and thirty-two dollars, to be expended under the direction of the Commissioner of public buildings.

For salary of the Stenographer appointed under resolution of January fifth, eighteen hundred and sixty-five, three thousand and six hundred and fifty dollars.

For additional compensation to laborers in the Clerk's office of the House of Representatives, the same as allowed by act of June twenty-fifth, eighteen hundred and sixty-four, seven hundred and thirty dollars.


SEC. 12. And be it further enacted, That the following sums be, and the same are hereby, appropriated, to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-five, out of any money in the treasury not otherwise appropriated:

For the compensation of the superintendent of the building occupied by the Quarter-master General, viz: for the fiscal year ending June thirty, eighteen hundred and sixty-five, and the present fiscal year, four hundred dollars.

For the Indian service in Utah, being for money advanced by Brigham Young, while governor and ex-officio superintendent of Indian affairs, found due and allowed by the Secretary of the Interior, thirty-eight thousand four hundred and eighty-seven dollars and fifty-three cents.

For plates, engraving, printing, and paper for national currency notes, two hundred and fifty thousand dollars: Provided, That no portrait or likeness of any living person hereafter engraved, shall be placed upon any of the bonds, securities, notes, fractional or postal currency of the United States.

For making certain alterations in the custom-house building at Philadelphia, seven thousand four hundred and twenty-five dollars.

For deficiency in the appropriation for fuel for the President's House and Capitol, six thousand dollars.
To supply a deficiency in the appropriation for the naval academy for the fiscal year ending June thirty, eighteen hundred and sixty-six, one hundred and seventy-eight thousand and sixty-four dollars.

To pay H. A. Klopfer for ten months' service, as a laborer in the office of the Attorney General, at forty dollars per month, four hundred dollars.

For certain alterations to the post-office portion of the building in Portland, Maine, used for post-office, custom-house, and court-house, five thousand dollars: Provided, That no part of the money hereby appropriated for claims due for the construction and furnishing the Baltimore courthouse, and for the payment of claims due for the repairs of the government warehouses and the construction wharves, Staten Island, New York, shall be paid for damages, and no payments whatever shall be made unless upon a full examination of the proper department of the government, and a certificate by the Attorney General that the said amounts to be paid are just, legal and proper:

SEC. 13. And be it further enacted, That such sum as may be required to pay the additional compensation provided by section three of "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June thirtieth, eighteen hundred and sixty-five, and for other purposes," approved June twenty-fifth, eighteen hundred and sixty-four, up to and including the thirtieth day of June, eighteen hundred and sixty-six, be, and the same is hereby, appropriated.

SEC. 14. And be it further enacted, That from and after the first day of April, eighteen hundred and sixty-six, there shall be paid annually, instead of the yearly salaries at present authorized, to the Director of the Mint at Philadelphia, and assistant treasurers.

April 7, 1866. CHAP. XXIX. — An Act to provide Arms and Ammunition for the Defence of the Inhabitants of Dakota Territory.

Arms and ammunition for defence of inhabitants of Dakota Territory.

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 issue, upon the requisition of the governor of Dakota Territory, such amount of ordnance and ordnance stores as may be necessary to arm the inhabitants of said Territory who may organize for defence against hostile Indians, not exceeding one thousand stand of small-arms and one hundred thousand rounds of ammunition, to be charged against the quota due, or to become due, to the Territory under the laws for arming and equipping the militia.

Approved, April 7, 1866.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.

SEC. 2. And be it further enacted, That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by this act, or to different punishment, pains, or penalties on account of such person having at any time been held in a condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.

SEC. 3. And be it further enacted, That the district courts of the United States, within their respective districts, shall have, exclusively of the courts of the several States, cognizance of all crimes and offenses committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, affecting persons who are denied or cannot enforce in the courts or judicial tribunals of the State or locality where they may be any of the rights secured to them by the first section of this act; and if any suit or prosecution, civil or criminal, has been or shall be commenced in any State court, against any such person, for any cause whatsoever, or against any officer, civil or military, or other person, for any arrest or imprisonment, trespasses, or wrongs done or committed by virtue or under color of authority derived from this act or the act establishing a Bureau for the relief of Freedmen and Refugees, and all acts amendatory thereof, or for refusing to do any act upon the ground that it would be inconsistent with this act, such defendant shall have the right to remove such cause for trial to the proper district or circuit court in the manner prescribed by the “Act relating to habeas corpus and regulating judicial proceedings in certain cases,” approved March three, eighteen hundred and sixty-three, and all acts amendatory thereof. The jurisdiction in civil and criminal matters hereby conferred on the district and circuit courts of the United States shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect; but in all cases where such laws are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies and punish offenses against law, the common law, as modified and changed by the constitution and statutes of the State wherein the court having jurisdiction of the cause, civil or criminal, is held, so far as the same is not inconsistent with the Constitution and laws of the United States shall be extended to and govern said courts in the trial and disposition of such cause, and, if of a criminal nature, in the infliction of punishment on the party found guilty.
SEC. 4. And be it further enacted, That the district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the laws of the United States, the officers and agents of the Freedmen's Bureau, and every other officer who may be specially empowered by the President of the United States, shall be, and they are hereby, specially authorized and required, at the expense of the United States, to institute proceedings against all and every person who shall violate the provisions of this act, and cause him or them to be arrested, imprisoned, or bailed, as the case may be, for trial before such court of the United States or territorial court as by this act has cognizance of the offence. And with a view to affording reasonable protection to all persons in their constitutional rights of equality before the law, without distinction of race or color, or previous condition of slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, and to the prompt discharge of the duties of this act, it shall be the duty of the circuit courts of the United States and the superior courts of the Territories of the United States, from time to time, to increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with a violation of this act; and such commissioners are hereby authorized and required to exercise and discharge all the powers and duties conferred on them by this act, and the same duties with regard to offences created by this act, as they are authorized by law to exercise with regard to other offences against the laws of the United States.

SEC. 5. And be it further enacted, That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant or other process when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of the person upon whom the accused is alleged to have committed the offence. And the better to enable the said commissioners to execute their duties faithfully and efficiently, in conformity with the Constitution of the United States and the requirements of this act, they are hereby authorized and empowered, within their counties respectively, to appoint, in writing, under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties; and the persons so appointed to execute any warrant or process as aforesaid shall have authority to summon and call to their aid the bystanders or posse comitatus of the proper county, or such portion of the land or naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged, and to insure a faithful observance of the clause of the Constitution which prohibits slavery, in conformity with the provisions of this act; and said warrants shall run and be executed by said officers anywhere in the State or Territory within which they are issued.

SEC. 6. And be it further enacted, That any person who shall knowingly and willfully obstruct, hinder, or prevent any officer, or other person charged with the execution of any warrant or process issued under the provisions of this act, or any person or persons lawfully assisting him or them, from arresting any person for whose apprehension such warrant or process may have been issued, or shall rescue or attempt to rescue such person from the custody of the officer, other person or persons, or those lawfully assisting as aforesaid, when so arrested pursuant to the authority herein given and declared, or shall aid, abet, or assist any person so arrested as aforesaid, directly or indirectly, to escape from the custody of the officer or other person legally authorized as aforesaid, or shall harbor or
conceal any person for whose arrest a warrant or process shall have been
issued as aforesaid, so as to prevent his discovery and arrest after notice
or knowledge of the fact that a warrant has been issued for the apprehen-
sion of such person, shall, for either of said offences, be subject to a fine
not exceeding one thousand dollars, and imprisonment not exceeding six
months, by indictment and conviction before the district court of the
United States for the district in which said offence may have been
committed, or before the proper court of criminal jurisdiction, if committed
within any one of the organized Territories of the United States.

SEC. 7. And be it further enacted, That the district attorneys, the mar-
shals, their deputies, and the clerks of the said district and territorial courts
shall be paid for their services the like fees as may be allowed to them for
similar services in other cases; and in all cases where the proceeding
are before a commissioner, he shall be entitled to a fee of ten dollars in
full for his services in each case, inclusive of all services incident to such
arrest and examination. The person or persons authorized to execute the
process to be issued by such commissioners for the arrest of offenders
against the provisions of this act shall be entitled to a fee of five dollars
for each person he or they may arrest and take before any such commis-
sioner as aforesaid, with such other fees as may be deemed reasonable by
such commissioner for such other additional services as may be necessarily
performed by him or them, such as attending at the examination, keeping
the prisoner in custody, and providing him with food and lodging during
his detention, and until the final determination of such commissioner, and
in general for performing such other duties as may be required in the
premises; such fees to be made up in conformity with the fees usually
charged by the officers of the courts of justice within the proper district or
county, as near as may be practicable, and paid out of the Treasury of the
United States on the certificate of the judge of the district within which
the arrest is made, and to be recoverable from the defendant as part of the
judgment in case of conviction.

SEC. 8. And be it further enacted, That whenever the President of the
United States shall have reason to believe that offences have been or are
likely to be committed against the provisions of this act within any judicial
district, it shall be lawful for him, in his discretion, to direct the judge,
marshal, and district attorney of such district to attend at such place within
the district, and for such time as he may designate, for the purpose of the
more speedy arrest and trial of persons charged with a violation of this
act; and it shall be the duty of every judge or other officer, when any
such requisition shall be received by him, to attend at the place and for
the time therein designated.

SEC. 9. And be it further enacted, That it shall be lawful for the Pres-
ident of the United States, or such person as he may empower for that
purpose, to employ such part of the land or naval forces of the United
States, or of the militia, as shall be necessary to prevent the violation
and enforce the due execution of this act.

SEC. 10. And be it further enacted, That upon all questions of law
arising in any cause under the provisions of this act a final appeal may be
taken to the Supreme Court of the United States.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,
President of the Senate, pro tempore.

In the Senate of the United States, April 6, 1866.

The President of the United States having returned to the Senate, in
which it originated, the bill entitled "An act to protect all persons in the
United States in their civil rights, and furnish the means of their vindica-
tion," with his objections thereto, the Senate proceeded, in pursuance of the
Constitution, to reconsider the same; and,
Resolved, That the said bill do pass, two-thirds of the Senate agreeing to pass the same.

Attest:

J. W. Fornet,
Secretary of the Senate.

In the House of Representatives U. S. April 9th, 1866.
The House of Representatives having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act to protect all persons in the United States in their civil rights, and furnish the means of their vindication," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representatives, with the message of the President returning the bill:

Resolved, That the bill do pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

Edward McPherson, Clerk,
by Clinton Lloyd, Chief Clerk.

CHAP. XXXI.-An Act granting to the State of Wisconsin a Donation of Public Lands to aid in the Construction of a Breakwater and Harbor and Ship Canal at the Head of Sturgeon Bay, in the County of Door, in said State, to connect the Waters of Green Bay with Lake Michigan, in said State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, granted to the State of Wisconsin for the purpose of aiding said State in constructing and completing a breakwater and harbor and ship canal to connect the waters of Green bay with the waters of Lake Michigan, two hundred thousand acres of public lands, to be selected in subdivisions agreeably to the United States survey, by an agent or agents appointed by the governor of said State, subject to the approval of the Secretary of the Interior, from lands subject to private entry: Provided, That said selections shall all be made from alternate and odd numbered sections of land nearest the location of said harbor and canal in said State not otherwise appropriated, and not from lands designated by the United States as "mineral" before the passage of this act, nor from lands to which the rights of pre-emption or homestead have attached.

SEC. 2. And be it further enacted, That the said lands hereby granted shall be subject to the disposal of the legislature of said State, or, if the legislature thereof shall not be in session, or shall adjourn within ten days after the passage and approval of this act, then said lands shall be subject to the disposal of the governor and board of commissioners of school, university, and swamp lands of said State, for the purposes aforesaid, and for no other; and the said canal shall be and remain a public highway for the use of the government of the United States, free from toll or charge upon the vessels of said government, or upon vessels employed by said government in the transportation of any property or troops of the United States.

SEC. 3. And be it further enacted, That before it shall be competent for said State to dispose of any of said lands, to be selected as aforesaid, the plan of said breakwater and harbor and the route of said canal shall be established, and a plat or plats thereof shall be filed in the office of the War Department, and a duplicate thereof filed in the office of the Commissioner of the General Land Office.

SEC. 4. And be it further enacted, That if the said breakwater, harbor, and canal, shall not be completed within three years from the passage of this act, the lands hereby granted and remaining unsold shall revert to the United States.

SEC. 5. And be it further enacted, That the legislature of said state shall cause to be kept an accurate account of the sales and net proceeds
of the lands hereby granted, and of all expenditures in the construction, repairs, and operating of said canal, and of the earnings thereof, and shall return a statement of the same annually to the Secretary of the Interior. And whenever said State shall be fully reimbursed for all advances made for the construction, repairs, and operating of said canal, with legal interest on all advances until the reimbursement of the same, or upon payment by the United States of any balance of such advances over such receipts from said lands and canal, with such interest, the said State shall be allowed to tax for the use of said canal only such tolls as shall be sufficient to pay all necessary expenses for the care, charge, and repair of the same.

SEC. 6. And be it further enacted, That said ship canal shall be at least one hundred feet in width, with a depth of water not less than thirteen feet.

Approved, April 10, 1866.

CHAP. XXXIII — An Act to grant the Right of Way to the “Cascade Railroad Company” through a Military Reserve in Washington Territory.

Whereas the Cascade Railroad Company, a corporation duly created and organized under the laws of Washington Territory, has constructed and put in operation a railroad on the Cascade Portage of the Columbia river, in said Territory, a portion of which said road is constructed through a military reserve of the United States; and whereas doubts have arisen as to the right to construct such road through said reserve and the validity of the charter of said company: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and is hereby granted to the said Cascade Railroad Company a right of way of sixty feet in width along the line of said road as at present constructed and along the changes of location hereafter made to straighten and render said road safe, through the public lands of the United States, the military reserve, and the lands of private persons agreeing thereto, including all necessary grounds for stations, buildings, workshops, depots, machine shops, switches, side tracks, and wharves. And the charter of said company is hereby adopted and declared to be valid; Provided, That nothing in this act shall be so construed as to give said company the right to occupy for any purpose whatever more than sixty feet in width on the line of said road at any point or points where the space or pass between the river and bluff or mountain is so narrow as not to admit of the construction of another parallel railroad, turnpike, road, canal, or other public work for transportation of freight or passengers.

Approved, April 10, 1866.

CHAP. XXXIX — An Act to amend an Act entitled “An Act to provide Ways and Means to support the Government,” approved March third, eighteen hundred and sixty-five.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled “An act to provide ways and means to support the Government,” approved March third, eighteen hundred and sixty-five, shall be extended and construed to authorize the Secretary of the Treasury, at his discretion, to receive any Treasury notes or other obligations issued under any act of Congress, whether bearing interest or not, in exchange for any description of bonds authorized by the act to which this is an amendment; and also to dispose of any description of bonds authorized by said act, either in the United States or elsewhere, to such an amount, in such manner, and at such rates as he may think advisable, for lawful money of the United States.
Public debt not to be increased.

Limit to amount of notes to be retired

Former act to be in force, except, &c

Secretary to report to Congress, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to supply a deficiency in paying the army, under the act of March fourteenth, eighteen hundred and sixty-four, and to reimburse the State of Pennsylvania for money expended for payment of militia in the service of the United States, the sum of eight hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated: Provided, That before the same is paid, the claim of the said State shall be again examined and settled by the Secretary of War.

APPROVED, April 12, 1866.

April 12, 1866.

CHAP. XL. — An Act to reimburse the State of Pennsylvania for Moneys advanced Government for War Purposes.

Pennsylvania to be reimbursed for money paid to militia, &c.

Proviso.

Chart of Mutual Fire Insurance Company amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third section of an act entitled “An act to incorporate the Mutual Fire Insurance Company in [of] the District of Columbia,” approved on the tenth day of January, eighteen hundred and fifty-five, be, and the same hereby is, so amended as to read fifty thousand dollars, in the place of twenty thousand dollars.

APPROVED, April 12, 1866.

April 12, 1866.


CHAP. XLIV. — An Act to establish the Collection District of Port Huron, the Collection District of Michigan, the Collection District of Montana and Idaho, and to change the Name of the Collection District of Penobscot.

Collection District of Port Huron in Michigan.

Pay of collector.
act to regulate the foreign coasting trade on the northern, northeastern,
and northwestern frontiers of the United States, and for other purposes;”
aproved June seventeen, eighteen hundred and sixty-four. And all the
territory and waters of the said State of Michigan lying west of the said
principal meridian, and not included in the district of Michilimackinac,
are hereby made a separate district, to be called the district of Michigan,
for which a collector, with the same compensation as above provided for
the collector of Port Huron, shall be appointed to reside at Grand Haven, Pay of collector.
which shall be the sole port of entry for said district of Michigan.

SEC. 2. And be it further enacted, That the Territories of Montana
and Idaho, be, and the same are hereby, made a new collection district,
to be called the district of Montana and Idaho; and that a collector, with
the same salary as is above provided for each of the collectors of Port
Huron and Michigan, shall be appointed to reside at the port of entry in
said district, which shall be designated by the Secretary of the Treasury.

SEC. 3. And be it further enacted, That the collection district of Penob-
scot, in the State of Maine, shall hereafter be called the District of Cas-
tine.

APPROVED, April 13, 1866.

CHAP. XLV.—An Act making Appropriations for the Naval Service for the Year
ending thirtieth June, eighteen hundred and sixty-seven.

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, to be paid out of any money in the
treasury not otherwise appropriated, for the year ending the thirtieth of
June, eighteen hundred and sixty-seven;

For pay of commission, warrant, and petty officers and seamen, includ-
ing the engineer corps of the navy, nine millions three hundred and thirty-
six thousand six hundred and thirty-eight dollars.

For the payment of bounties to discharged seamen, eight hundred thou-
dsand dollars.

For the purchase of various articles of equipment, viz: canvas, leather,
iron, cables, and anchors, oil, galleys, and stores, and for the payment of
labor on articles manufactured in the navy yards, and for outfit stores in
the navigators’, boatswains’, and sailmakers’ department of vessels, one
million dollars.

For surgeons’ necessaries and appliances for the sick and wounded of
the navy, including the coast survey and engineer and marine corps, one
hundred and sixty-eight thousand seven hundred and fifty dollars.

For navigation apparatus and supplies, and for purposes incidental to
navigation, one hundred and ninety-two thousand five hundred dollars.

For contingent expenses of the navy, two hundred and fifty thousand
dollars.

Bureau of Yards and Docks.—For contingent expenses that may ac-
crue for the following purposes, viz: For freight and transportation; for
printing, advertising, and stationery; for books, maps, models, and draw-
ings; for the purchase and repair of fire-engines; for machinery of every
description, and patent right to use the same; for repairs of steam-engines
and attendance; for purchase and maintenance of oxen and horses, and
driving teams; for carts, timber-wheels, and workmen’s tools of every de-
scription for navy yard purposes; for telegrams and postage of letter public service; for furniture for government offices and houses; for coals
and other fuel; for candles, oil, and gas; for cleaning and clearing up
yards; for flags, awnings, and packing-boxes; for pay of watchmen; for
incidental labor at navy yards not applicable to any other appropriation;
for rent of landing at Portsmouth, New Hampshire; for tolls and ferri-
ages; for water tax; and for rent of stores, one million seven hundred and
sixty thousand dollars.
Bureau of Equipment and Recruiting.—For expenses that may accrue for the following purposes, namely: expenses of recruiting, travelling expenses of officers, transportation of men, printing and stationery; advertising in public newspapers, postage on public letters, wharfage and demurrage, apprehension of deserters, pilotage and towage of vessels, and assistance to vessels in distress, eight hundred thousand dollars.

Bureau of Navigation.—For contingent expenses of the Bureau of Navigation, viz: For freight and transportation of navigation materials, instruments, books and stores; for postage on public letters; for telegraphing on public business; for advertising for proposals; for packing boxes and materials: for blank-books, forms and stationery at navigation offices; for maps, charts, drawings and models: and for incidental expenses not applicable to any other appropriation, five thousand dollars.

Bureau of Medicine and Surgery.—For contingent expenses of the Bureau of Medicine and Surgery, seventy-five thousand dollars.

Marine Corps.—For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, steward and nurse, and servants; for rations and clothing for officers' servants; additional rations to officers for five years' service; for undrawn clothing, and bounties for enlistment, one million one hundred and seven thousand and sixty-six dollars and ninety-five cents.

For provisions, one hundred and sixty-nine thousand nine hundred and seven dollars and fifty cents.

For clothing, three hundred and fourteen thousand six hundred and sixty-three dollars and five cents.

For fuel, thirty thousand one hundred and seventeen dollars.

For military stores, viz: Pay of mechanics, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, sixteen thousand dollars.

For transportation of officers, their servants, troops, and expenses of recruiting, ten thousand dollars.

For repairs of barracks, and rent of offices where there are no public buildings, fifteen thousand dollars.

For contingencies, viz.: freight; ferriage; toll; cartage; wharfage; purchase and repair of boats; compensation to judge advocates per diem for attending courts-martial, courts of inquiry, and for constant labor; house-rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures; water rent, forage, straw, barrack furniture, furniture for officers' quarters; bed sacks, wrapping paper, oil-cloth, crash, rope, twine, spades, shovels, axes, picks, carpenters' tools; keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital headquarters; repairs to fire-engine; purchase and repair of engine hose; purchase of lumber for benches, mess tables, and bunks; repairs to public carryall; purchase and repair of harness; purchase and repair of handcarts and wheelbarrows; scavenging; purchase and repair of galleys, cooking stoves, ranges; stoves where there are no grates; gravel for parade grounds; repair of pumps; furniture for staff and commanding officers' offices; brushes, brooms, buckets, paving, and for other purposes, eighty thousand dollars: Provided, That in the purchase of carpets and furniture provided for in this act they shall be of domestic manufacture.
For testing the use of petroleum as a fuel under steam boilers, five thousand dollars.

For the construction of a levee on the river-front of the government property at Mound City, Illinois, seven thousand dollars.

To pay mileage of visitors to the Naval Academy, one thousand dollars.

For expenses of Naval Academy, viz: for pay of civil officers, professors, watchmen and others, contingent expenses, improvements and repairs, one hundred and ninety-eight thousand four hundred and twenty-nine dollars.

For the purchase of the land adjacent to the Naval Academy at Annapolis, belonging to the State of Maryland, and known as the government house and grounds, twenty-five thousand dollars.

For the purchase of other grounds at Annapolis for the use of the Naval Academy, twenty-five thousand dollars.

For the erection of a building suitable for the accommodation of the third and fourth classes at the Naval Academy, one hundred thousand dollars.

For the erection of a machine-shop at the Naval Academy, twenty thousand dollars.

For the increase of the library at the Naval Academy, two thousand dollars.

For the enlargement of the chapel at the Naval Academy, and for the erection of mural tablets therein to commemorate the memory of naval officers who have sacrificed their lives in the service of the country, seven thousand dollars.

NAVAL OBSERVATORY.

For the pay of assistant astronomer, three aids, and clerk, eight thousand dollars.

For wages of instrument maker, two watchmen, porter, and messenger; for keeping grounds in order, and repairs to buildings and enclosures; for fuel, light, office-furniture, and stationery, and for freight, transportation, postage, and incidental expenses, twelve thousand dollars.

For preparing for publication the American Nautical Almanac, fifteen thousand eight hundred and fifty dollars.

NAVAL ASYLUM, PHILADELPHIA.

For furniture and repairs to same, one thousand dollars.

For house-cleaning and whitewashing, eight hundred dollars.

For furnaces, grates, and ranges, seven hundred dollars.

For gas and water rent, one thousand five hundred dollars.

For improvement of grounds, three hundred dollars.

For wharves and lots, eight hundred dollars.

For painting houses and walls, two thousand dollars.

For repairs of all kinds, one thousand dollars.

For support of beneficiaries, forty-eight thousand dollars.

SEC. 2. And be it further enacted, That so much of the first section of the act making appropriations for the naval service, approved May twenty-first, eighteen hundred and sixty-four, as appropriates two hundred and fifty thousand dollars "for bounties for destruction of enemies' vessels," be amended so that said appropriation shall apply to all cases of destruction of enemies' vessels during the recent rebellion, and at the same rate as is provided in the act to which reference is made.

SEC. 3. And be it further enacted, That no portion of the amounts herein appropriated shall be paid in violation of the provisions of the act entitled "An act to prescribe an oath of office, and for other purposes," approved July second, eighteen hundred and sixty-two.
SEC. 4. And be it further enacted, That so much of the second section of an act entitled An act to regulate the pay of the navy of the United States, approved March three, eighteen hundred and thirty-five, as prohibits any allowance to any officer in the naval service for rent of quarters, or for furniture, or for lights, or fuel, or transporting baggage, and all acts and parts of acts authorizing the appointment of navy agents, be, and the same are hereby, repealed.

SEC. 5. And be it further enacted, That the examination of candidates for admission to the Naval Academy shall be held at such stated times as the Secretary of the Navy may direct.

SEC. 6. And be it further enacted, That the office of assistant in Bureau of Ordnance be, and the same is hereby, abolished.

SEC. 7. And be it further enacted, That hereafter no vacancy in the grade of professor of mathematics in the navy shall be filled.

SEC. 8. And be it further enacted, That the act approved August thirty-first, eighteen hundred and fifty-two, for surveys and reconnaissances, for naval and commercial purposes, of such parts of Behring's Straits of the north Pacific ocean, and of the China seas, as are frequented by American whale ships and by trading vessels in their routes between the United States and China, be, and the same is hereby, revived, and the Secretary of the Navy is hereby authorized and required to recommence and continue surveys and reconnaissances in the Pacific ocean, not yet fully examined, by using such vessels, officers, crews, outfits, and supplies of the navy, as may be necessary and available for that service.

SEC. 9. And be it further enacted, That, for the purpose of settling the accounts of disbursing officers of the navy, where payments for contingent expenses have been made from the appropriation for the pay of the navy prior to the passage of the act making appropriations for the fiscal year eighteen hundred and sixty-three-four, the Secretary of the Treasury be, and he is hereby, authorized to transfer from the appropriation for the pay of the navy to the appropriation for contingent, the sum of two hundred and forty-five thousand and nine hundred and four dollars and twelve cents.

APPROVED, April 17, 1866.

CHAP. XLVI. — An Act to reimburse the State of Missouri for Moneys expended for the United States in enrolling, equipping, and provisioning Militia Forces to aid in suppressing the Rebellion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That immediately after the passage of this act the President shall by and with the advice and consent of the Senate appoint three commissioners, whose duty it shall be to ascertain the amount of moneys expended by the State of Missouri, in enrolling, equipping, subsisting, and paying such State forces as have been called into service in said State since the twenty-fourth day of August, eighteen hundred and sixty-one, to act in concert with the United States forces in the suppression of rebellion against the United States. And the said commissioners shall be authorized and required to sit as a board at some place in the State of Missouri, and shall be authorized to call witnesses before them and examine them under oath. And said commissioners shall be authorized to employ a clerk at a rate of compensation not to exceed fifteen hundred dollars per annum.

SEC. 2. And be it further enacted, That the commissioners so appointed shall proceed, subject to regulations to be prescribed by the Secretary of War, at once to examine all the items of expenditure made by said State for the purposes herein named, allowing only for disbursements made and amounts assumed by the State for enrolling, equipping, subsisting, and paying such troops as were called into service by the governor, at the request of the United States department commander commanding the dis-
For road and timber slips, twenty-eight thousand three hundred and three dollars.
For enlarging office building, nine thousand seven hundred and forty-eight dollars.
For fitting and furnishing plumber's, coppersmith's and tin shop, three thousand six hundred dollars.
For machinery and tools, forty-eight thousand one hundred dollars.
For repairs of all kinds, seventy thousand dollars.
For completing plumber's, coppersmith's, and tin shop, ten thousand dollars.
For the purchase of Seavey's Island, one hundred and five thousand dollars: Provided, That a perfect and approved title in fee to the whole island can be obtained and vested in the United States for that sum: And provided further, That in case the owners of lots and improvements on said island shall not agree to receive said sum for the whole of said island and the privileges and improvements thereunto belonging, the Secretary of the Navy is hereby required to discontinue the public use of the bridge and thoroughfare leading from said island to and across the navy yard, to take effect on the first day of January, eighteen hundred and sixty-seven.
Boston.—For purchase of the right of drainage through the yard, now held by the city of Charlestown, twenty-five thousand dollars.
For one steam fire-engine, five thousand dollars.
For widening main entrance, twelve thousand dollars.
For tools for machine and forge shops, seventy-one thousand five hundred dollars.
For machinery for ropewalk, thirty-one thousand dollars.
For filling in a portion of timber-dock, forty thousand dollars.
For addition to stable, eight thousand dollars.
For repairs of all kinds, eighty-five thousand dollars.
New York.—For receiving store, forty-seven thousand six hundred and three dollars.
For quay wall extension at sewer, one hundred thousand dollars.
For continuing the work on the new machine and boiler shop, one hundred thousand dollars.
For dredging channels, sixty-five thousand dollars.
For special repairs, twenty thousand five hundred dollars.
For repairs of all kinds, hundred and sixteen thousand dollars.
For the purchase of the Ruggles property, ninety thousand dollars.
For protecting from destruction and decay the unfinished buildings and other structures already commenced, for which no appropriation is made in this bill, twenty thousand dollars.
Philadelphia.—For dredging channels, four thousand and twenty-eight dollars.
For repairs of dry dock, forty-six thousand dollars.
For repairs of all kinds, fifty-eight thousand one hundred and eighty dollars.
For completing saw-mill, twenty-five thousand dollars.
For extending south pier one hundred feet, fifteen thousand dollars.
Washington.—For new paint-shop, eight thousand five hundred and eighty-three dollars.
For smithery, twelve thousand and sixty-two dollars.
For extension of iron foundery, eight thousand four hundred and forty-five dollars.
Norfolk.—For railway track and cars, eight thousand dollars.
Navv Yards.

For repair of wharves, two thousand five hundred dollars.
For one Ames's wharf crane, three thousand dollars.
For machinery and tools, fifty thousand dollars.
For ship joiners' shop and timber shed number twelve, forty-five thousand dollars.
For storehouse number fourteen, forty-six thousand dollars.
For the protection of the property at Norfolk navy-yard, twenty thousand dollars or so much thereof as shall be necessary.

Pensacola, Florida. — For muster office, eight thousand one hundred and four dollars.
For new gate to dock basin, thirty thousand dollars.
For pile engine, seven hundred dollars.
For the preservation and necessary repairs of the property of the United States at the Pensacola navy yard, fifty thousand dollars, or so much thereof as may be necessary.

Mare Island, California. — For foundry and boiler establishment, eighty-five thousand dollars.
For cisterns, buildings sixty-eight and forty-five, seven thousand three hundred dollars.
For quay-wall, fifty thousand dollars.
For grading, twenty thousand dollars.
For cistern and holder for gas works, twelve thousand five hundred dollars.
For repairs of all kinds, fifty thousand dollars.

Hospita.

Boston. — For repairs of buildings, roads, fences, cemetery, walls, stable, and furniture; painting, glazing, grounds, and miscellaneous items, ten thousand dollars.

New York. — For repairs of hospital buildings and appendages, roads, fences, walls, stables, and furniture; painting, glazing, cemetery, grounds, and miscellaneous items, ten thousand five hundred dollars.

Laboratory at New York. — For repairs of buildings and appendages, purchase and repairs of instruments, apparatus and machinery, painting, glazing, furniture, and miscellaneous items, three thousand five hundred dollars.

Washington. — For completing building authorized by act of Congress approved March fourteenth, eighteen hundred and sixty-four, including cost of enclosing premises, grading sidewalks, laying curbstones, together with the necessary out-buildings and their appurtenances, thirty thousand dollars.

Annapolis. — For repairing hospital building, appendages, painting, glazing, furniture, and miscellaneous items, five thousand dollars.

Norfolk. — For repairs of buildings, appendages, roads, fences, rebuilding sea-wall, painting and glazing, spouting and repairing roof, wharves and bridges, brick pavement, stable, furniture, floors of basement, improving grounds, and for miscellaneous items, twenty thousand dollars.

Pensacola. — For repairs of building, appendages, painting, glazing, furniture, and miscellaneous items, ten thousand five hundred dollars.

Mare Island. — For repairs of building, appendages, painting, glazing, furniture, and miscellaneous items, seven thousand five hundred dollars.

Miscellaneous.

For pay of superintendent, naval constructors, and all the civil establishments of the several navy yards and stations, one hundred and forty-six thousand two hundred and thirty dollars. And the pay of the clerk of the yard and first clerk to naval storekeeper at each of the navy yards at Portsmouth, New Hampshire, and Philadelphia, shall be twelve hundred dollars per annum.
In which Missouri may at the time have been included, or by the express order, consent, or concurrence of such commander, or which may have been employed in suppressing rebellion in said State, under the authority and command of federal officers. And no allowance shall be made for any troops which did not perform actual military service in full concert and cooperation with the authorities of the United States and subject to their orders.

Sec. 3. And be it further enacted, That in making up said account, for the convenience of the accounting officers of the government, the commissioners shall state separately the amounts expended, respectively, for enrolling, equipping, arming, subsisting, and paying said troops, and from the aggregate amount they shall deduct the amount of direct tax due by the said State to the United States under the act entitled “An act to provide increased revenue from imports, pay interest on the public debt, and for other purposes,” approved August fifth, eighteen hundred and sixty-one.

Sec. 4. And be it further enacted, That in the adjustment of accounts under this act the commissioners shall not allow for any expenditure or compensation for service at a rate greater than was at the time authorized by the laws of the United States and the regulations prescribed by the Secretary of War in similar cases.

Sec. 5. And be it further enacted, That so soon as said commissioners shall have made up said account and ascertained the balance, as herein directed, they shall make written report thereof, showing the different items of expenditure as hereinbefore stated, to the Secretary of the Treasury, and shall transmit all the testimony taken by said commissioners to the Secretary of the Treasury; and if upon an examination by the proper accounting officers of the Treasury the account shall be found to be just and correct, the same shall be paid.

Sec. 6. And be it further enacted, That the commissioners to be appointed as aforesaid shall, before proceeding to the discharge of their duties, be severally sworn that they will carefully examine the accounts existing between the United States and the State of Missouri, and that they will, to the best of their ability, make a just, true, and impartial statement thereof, as required by this act. They shall receive such compensation for their services as may be determined by the Secretary of the Treasury, not exceeding ten dollars per day for each day of actual service.

Sec. 7. And be it further enacted, That the sum of six million seven hundred and fifteen thousand and eighty-nine dollars and sixty-five cents, or so much thereof as may be necessary, be, and the same is hereby, appropriated to carry this act into effect.

APPROVED, April 17, 1866.

CHAP. XLVII. — An Act to authorize the President of the United States to transfer a Gunboat to the Government of the Republic of Liberia.

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 he is hereby, authorized to transfer to the government of the republic of Liberia any one of the gunboats now or hereafter included in the navy of the United States, her armament, tackle, apparel and furniture, which may be acceptable to that government, and can, in the judgment of the Secretary of the Navy, be conveniently spared for that purpose, and upon a valuation to be fixed by him.

Sec. 2. And be it further enacted, That the Secretary of the Navy is authorized and directed to enter into a contract with any person duly empowered by the government of that republic, by which that government shall engage to repay to the United States the value of the gunboat to be transferred to the Government of Liberia at a valuation, how to be paid for.
transferred: Provided, That the contract shall stipulate for the full reimbursement to the United States of the value of such gunboat in annual instalments, not exceeding ten in number, with interest on each at six per centum per annum from the date of the contract.

APPROVED, April 17, 1866.

April 17, 1866. CHAP. XLVIII. — An Act to provide that the “Soldier's Individual Memorial” shall be carried through the mails at the usual Rate of Printed Matter.

The “Soldier’s individual memorial” to pass through the mails as printed matter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the ornamental records of the personal services of federal officers and soldiers, composed partly of written and partly of printed matter, but containing no private communications, and known as the “soldier’s individual memorial,” shall be allowed to pass through the mails upon the payment of the usual postage on printed matter.

APPROVED, April 17, 1866.

April 20, 1866. CHAP. LXV. — An Act to authorize the Sale of Marine Hospitals and of Revenue Cutters.

Marine hospital buildings and land may be leased or sold.

See ch. 142. Post, p 76

Appropriation of proceeds. Proviso.

Certain revenue cutters may be sold.

Proceeds of sales.

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 to lease, or to sell at public auction, to the highest and best bidder, for cash, after due notice in the public newspapers, such marine hospital buildings and lands appertaining thereto as he may deem advisable, and he is hereby empowered to make, execute, and deliver all needful conveyances to the lessees or purchasers thereof respectively; and the proceeds of said leases and sales are hereby appropriated for the marine hospital establishment: Provided, That the hospitals at Cleveland, Ohio, and Portland, Maine, shall not be sold or leased, nor shall any hospital be sold or leased where no other suitable and sufficient hospital accommodations can be procured upon reasonable terms for the comfort and convenience of the patients.

SEC. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby authorized, in his discretion, to sell at public auction, to the highest and best bidder for cash, after due notice in the public newspapers, such of the revenue cutters as he shall find to be ill adapted to the purposes of the revenue service, and to expend the proceeds of said sales in the purchase or construction of other vessels better suited to the wants of said service.

APPROVED, April 20, 1866.

April 25, 1866. CHAP. LXV. — An Act to issue American Registers to the Steam-Vessels “Michigan,” “Dispatch,” and “William K. Muir,” and for other Purposes

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 is hereby directed to issue American registers to the Canadian-built steamers “Michigan” and “Dispatch,” and the American-built steamer “William K. Muir,” of the collection district of Detroit; and American registers, or enrolment and license, to the following named vessels, that is to say, to the sloop “Jenny Lind of Wolf Island,” of Oswego, New York; the schooners “Coquette of Oakville,” “Trenton of Trenton,” “Forest Queen,” “Two Brothers of Wallaceburg,” “Minetta of Gananoque,” and “Elizabeth,” of Oswego, New York; the barque “St. Elizabeth,” of Provincetown, Massachusetts; the barques “Advance” and “Acorn,” and schooner “Asia,” of Chicago, Illinois; the barges “Harvest,” “Ajax,” and “Matilda,” of Chicago, Illinois; the steamer “Prince Albert,” of Georgetown, District of Columbia; the brig “Maitland,” propeller “Niagara,” and steamboat “Canadian,” of Buffalo, New York; the schooner
"E. P. Ryerse," of Cleveland, Ohio; the schooner "Eureka," of Marge-
retta, Ohio; the brigantine "City of Toronto," of Erie, Pennsylvania; and
the schooner "Wavertree," of Cleveland, Ohio; and American regis-
ters, or enrolment and license, to the following named vessels, that is to
say, the ship "Screamer," of Brunswick, Maine; the barge "Mary," of
Detroit; the steam-tug "Sampson," of Detroit; and the schooners "Cal-
edonia," and "Enterprise," of Detroit; and the "Anglo-Saxon," a Cana-
dian-built vessel.

APPROVED, April 25, 1866.

CHAP LXVIII—An Act making Appropriations to supply Deficiency in the Appro-
riation for the Public Printing for the Fiscal Year ending June thirty, eighteen hundred
and sixty-six.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the following sums be, and
the same are hereby, appropriated to supply deficiencies in the appropa-
tion for the public printing for the fiscal year ending thirtieth of June,
eighteen hundred and sixty-six, out of any money in the treasury not oth
ewise appropriated:

To supply a deficiency in the appropriation for the public printing, one
hundred and fifteen thousand dollars.

To supply a deficiency in the appropriation for paper for the public
printing, four hundred and fifty thousand dollars.

To supply a deficiency in the appropriation for the public binding, nine-
ty-five thousand dollars.

And the Superintendent of the Public Printing is hereby authorized to
employ an additional clerk, of class four.

APPROVED, April 26, 1866.

CHAP LXX.—An Act to facilitate the Settlement
of the Accounts of the Treasurer
of the United States, and to secure certain Moneys to the People of the United States, or
to Persons to whom they are due, and who are entitled to receive the same.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That all amounts of moneys
that are represented by certificates, drafts, or checks, issued by the Treas-
er of the United States, or by any disbursing officer of any department
of the government of the United States, upon the Treasurer or any assist-
ant treasurer, or designated depository of the United States, or upon any
national bank designated as a depositary of the United States, and which
shall be represented on the books of either such offices as standing to the
credit of any disbursing officer, and bearing date prior to July first, eigh-
teen hundred and sixty-three, and which were issued to facilitate the paly-
ment of warrants, or for any other purpose in liquidation of a debt due
from the United States, which may remain outstanding on the first day of
July, eighteen hundred and sixty-six, shall be deposited by the Treasure-
tr of the United States, to be covered into the treasury by warrant, and to be
carried to the credit of the parties in whose favor such certificates, drafts
or checks were respectively issued, or to the persons who are entitled to
receive pay therefor, and into an appropriation account to be denominated
"outstanding liabilities."

Sec. 2. And be it further enacted, That the certificate of the Register
of the Treasury, stating that the amount of any draft issued by the Treas-
er of the United States, to facilitate the payment of a warrant directed
to him for payment, and which may have so remained outstanding and
unpaid for three years or more as aforesaid, and which shall have been
this deposited and covered into the treasury, shall be, and the same is
hereby authorized to be, when attached to any such warrant, a sufficient
voucher in satisfaction of any such warrant or part of any warrant, the

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same as if the drafts correctly indorsed and fully satisfied were attached to such warrant or part of warrant. And all such moneys mentioned in this and in the preceding section shall remain as a permanent appropriation for the redemption and payment of all such outstanding and unpaid certificates, drafts and checks as aforesaid.

SEC. 3. And be it further enacted, That the payee, or the bona fide holder of any such draft or check, the amount of which has been so deposited and covered into the treasury, shall, on presenting the same to the proper officer of the treasury, be entitled to have it paid by the settlement of an account and the issuing of a warrant in his favor, according to the practice in other cases of authorized and liquidated claims against the United States.

SEC. 4. And be it further enacted, That at the termination of every fiscal year after this act shall begin to operate, the provisions thereof shall apply to all similar certificates, drafts, and checks, which shall then have for three years or more remained outstanding, unsatisfied and unpaid, and to all disbursing officers' accounts that shall have so remained unchanged, as in the next section provided for.

SEC. 5. And be it further enacted, That at the termination of every fiscal year after this act shall begin to operate, the provisions thereof shall apply to all such certificates, drafts, and checks as aforesaid.

This act to apply to all such certificates, &c., outstanding for three years, and to accounts of disbursing officers.

Accounts of disbursing officers, unchanged for three years, to be covered into the treasury, and credited.

The treasurer, assistant treasurers, &c., to report to the Secretary annually the condition of such accounts.

Report to state.

Disbursing officers to report annually all checks issued, &c.

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 is hereby authorized and empowered to remit, or if paid to refund, any duties levied on produce shipped from a port of the United States to
a port of the United States, via Canada, if the said produce was actually
in transitu and detained by ice when the recent reciprocity treaty with
Canada expired.

Approved, May 2, 1866.

CHAP. LXXII. — An Act to provide for the better Organization of the Pay Department
of the Navy.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That, from and after the pas-
tage of this act, the active list of the pay corps of the navy shall consist
of eighty paymasters, forty passed assistant paymasters, and thirty assistant
paymasters. Paymasters shall be regularly promoted and commissioned
from passed assistant paymasters, and passed assistant paymasters from
assistant paymasters, and all passed assistant paymasters authorized by
this act to be appointed who have not heretofore been appointed and com-
missoned as assistant paymasters and all assistant paymasters hereby
authorized to be appointed shall be selected from those who have served
as acting assistant paymasters for the term of one year, and who were eligi-
able to appointment in the grade of assistant paymasters when they were ap-
pointed acting assistant paymasters, as aforesaid; subject, however, to such
examinations as are required by law, and such as may be established by
the Secretary of the Navy.

SEC. 2. And be it further enacted, That passed assistant paymasters
shall give bonds for the faithful performance of their duties in the sum
of fifteen thousand dollars, and that their annual pay shall be, at sea, fif-
teen hundred dollars; on other duty, fourteen hundred dollars; on leave
or waiting orders, twelve hundred dollars.

Approved, May 3, 1866.

CHAP. LXXIII. — An Act concerning the Boundaries of the State of Nevada.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That, as provided for and con-
sented to in the constitution of the State of Nevada, all that territory and
tract of land adjoining the present eastern boundary of the State of Ne-
veda, and lying between the thirty-seventh and the forty-second degrees
of north latitude and west of the thirty-seventh degree of longitude west
of Washington, is hereby added to and made a part of the State of Ne-
veda.

SEC. 2. And be it further enacted, That there is hereby added to and
made a part of the State of Nevada all that extent of territory lying
within the following boundaries, to wit: Commencing on the thirty-seventh
degree of north latitude, at the thirty-seventh degree of longitude west
from Washington; and running thence south on said degree of longitude
to the middle of the river Colorado of the West; thence down the mid-
ble of said river to the eastern boundary of the State of California;
thence northwesterly along said boundary of California to the thirty-
seventh degree of north latitude; and thence cast along said degree of
latitude to the point of beginning: Provided, That the territory mentioned
in this section shall not become a part of the State of Nevada until said
State shall, through its legislature, consent thereto: And provided fur-
ther, That all possessory rights acquired by citizens of the United States
to mining claims, discovered, located, and originally recorded in compli-
ance with the rules and regulations adopted by miners in the_Pah-Rana-
gat and other mining districts in the Territory incorporated by the
provisions of this act into the State of Nevada shall remain as valid sub-
sisting mining claims; but nothing herein contained shall be so construed
as granting a title in fee to any mineral lands held by possessory titles in
the mining States and Territories.

Approved, May 5, 1866.
May 5, 1866.  

CHAP. LXXIV — An Act to encourage Telegraphic Communication between the United States and the Island of Cuba and other West India Islands and the Bahamas.

Whereas James A. Scrymser, Alfred Pell, junior, Alexander Hamilton, junior, Oliver K. King, Maturin L. Delafield, William F. Smith, and James M. Digges, their associates, successors, and assigns, persons composing the International Ocean Telegraph Company, an incorporated company chartered by the State of New York, are desirous of establishing a line of submarine telegraphic communication between the United States of America and the West India Islands and the Bahamas: Now, therefore, in order to facilitate the said enterprise —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said International Ocean Telegraph Company, incorporated under the laws of the State of New York, their successors and assigns, shall have the sole privilege for a period of fourteen years from the approval of this act, to lay, construct, land, maintain, and operate telegraphic or magnetic lines or cables in and over the waters, reefs, islands, shores, and lands, over which the United States have jurisdiction, from the shores of the State of Florida, in the said United States, to the Island of Cuba and the Bahamas, either or both, and other West India Islands.

The United States to have free use of such lines.

Lines to be kept open, and messages sent in order of their reception.

Charges.

Lines to be laid in three years, and in operation in five years.

This act may be altered or repealed.

SEC. 2. And be it further enacted, That the said International Ocean Telegraph Company shall, at all times give the United States the free use of said cable or cables, to a telegraphic operator of its own selection, to transmit any messages to and from its military, naval, and diplomatic or consular agents; and the said company shall keep all its lines open to the public for the transmission for daily publication of market and commercial reports and intelligence, and all messages, despatches and communications shall be forwarded in the order in which they shall be received: and the said company shall not be permitted to charge and collect for messages transmitted through any of its submarine cables more than the rate of three dollars and fifty cents for messages of ten words, subject, however, to the power of Congress to alter and determine said rates: Provided, That the said International Ocean Telegraph Company shall, within the period of three years from the passage of this act, cause the said submarine telegraphic cable or cables to be laid down, and that the said cable or cables shall be in successful operation for the transmission of messages within the said period of five years; otherwise, this grant to be null and void.

SEC. 3. And be it further enacted, That Congress shall have power, at any time, to alter or repeal the foregoing act.

APPROVED, May 5, 1866.

May 9, 1866.

CHAP. LXXV — An Act to extend the Jurisdiction of the Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims shall have jurisdiction to hear and determine the claim of any paymaster, quartermaster, commissary of subsistence, or other disbursing officer of the United States, or of his administrators or executors, for relief from responsibility on account of losses by capture or otherwise, while in the line of his duty, of government funds, vouchers, records, and papers in his charge, and for which such officer was and is held responsible: Provided, That an appeal may be taken to the Supreme Court, as in other cases.

SEC. 2. And be it further enacted, That whenever said court shall have ascertained the facts of any such loss to have been without fault or neglect on the part of any such officer, it shall make a decree, setting forth the amount thereof; upon which the proper accounting officers of the treasury shall allow to such officer the amount so decreed as a credit in the settlement of his accounts.

APPROVED, May 9, 1866.
CHAP. LXXVI.—An Act enlarging the Powers of the Levy Court of the County of Washington, in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the levy court of the county of Washington, in the District of Columbia, is hereby empowered to declare and locate as public highways such roads known and used as military roads in said district during the rebellion as said court may deem advisable: Provided, That the damages which the owners of the land over which said roads pass shall sustain by reason of said roads being declared public highways, shall be assessed as provided for in section three of the act of Congress approved July first, eighteen hundred and twelve, entitled "An act conferring certain powers on the levy court for the county of Washington, in the District of Columbia."

APPROVED, May 9, 1866.

CHAP. LXXIX.—An Act to incorporate the National Theological Institute.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Abram D. Gillette, Edgar H. Gray, Edmund Turney, Zalman Richards, Robert J. Powell, William T. Johnson, Henry Beard, Charles H. Morse, Joseph C. Lewis, John S. Poler, David Rees, D. W. Anderson, Daniel C. Eddy, Leonard A. Grimes, Justice D. Fulton, William R. Williams, Isaac Westcott, Howard Malcolm, Joseph H. Kennard, Newton Brown, T. Dwight Miller, and all persons who shall or may be associated with them, and their successors, are hereby created and declared a body corporate and politic, in deed and in law, by the name of "The National Theological Institute," and by that name shall have succession and be capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of law and equity and elsewhere; to make and use a common seal, and the same to alter or renew at pleasure; and generally to do and perform all things relative to the object of this corporation which is now and shall be lawful for any individual or body politic or corporate to do.

SEC. 2. And be it further enacted, That the object and purpose of this corporation shall be for the education of persons for the christian ministry, and those associated with them as assistants, in such course of theological and general studies as may be deemed proper for that purpose; and for that purpose is hereby authorized to elect or appoint such officers as may be deemed necessary or proper for the control of its affairs; to adopt such regulations and by-laws for its government as may be deemed necessary, not inconsistent with the laws of the United States in force in the District of Columbia, and to amend or repeal them at pleasure; to receive and hold any lands, tenements, annuities, moneys, goods, chattels, or other property of every kind or nature, which shall be given, granted, or bequeathed to it, or be otherwise acquired, for the purpose of carrying out the object of this corporation, not exceeding fifty thousand dollars in real estate at any one time; and the same to sell or dispose of in such manner as may be desired for the purpose aforesaid: Provided, That any property so acquired, or the proceeds thereof, or any money received as a gift, shall not be used for any other than such educational purposes: And provided, also, That no person shall be excluded from the advantages of education afforded by the institute on account of theological belief not to exclude.

SEC. 3. And be it further enacted, That this act may at any time be altered, amended, or repealed.

APPROVED, May 10, 1866.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any search, seizure, arrest, or imprisonment made, or any acts done or omitted to be done during the said rebellion, by any officer or person, under and by virtue of any order, written or verbal, general or special, issued by the President or Secretary of War, or by any military officer of the United States holding the command of the department, district, or place within which such seizure, search, arrest, or imprisonment was made, done, or committed, or any acts were so done, or omitted to be done, either by the person or officer to whom the order was addressed, or for whom it was intended, or by any other person aiding or assisting him therein, shall be held, and are hereby declared, to come within the purview of the act to which this is amendatory, and within the purview of the fourth, fifth, and sixth sections of the said act of March third, eighteen hundred and sixty-three, for all the purposes of defence, transfer, appeal, error, or limitation provided therein. But no such order shall, by force of this act, or the act to which this is amendatory, be a defence to any suit or action for any act done or omitted to be done after the passage of this act.

Right of removal from State to United States Court, when it may be exercised.

Proceedings in State court to cease on filing petition, &c.

Subsequent acts in State court, void.

Damages.

Double costs.

Clerk of State court to furnish copies of papers, &c.

SEC. 2. And be it further enacted, That when the said order is in writing, it shall be sufficient to produce in evidence the original, with proof of its authenticity, or a certified copy of the same; or if sent by telegraph, the production of the telegram purporting to emanate from such military officer shall be prima facie evidence of its authenticity; or if the original of such order or telegram is lost or cannot be produced, secondary evidence thereof shall be admissible, as in other cases.

SEC. 3. And be it further enacted, That the right of removal from the State court into the circuit court of the United States, provided in the fifth section of the act to which this is amendatory, may be exercised after the appearance of the defendant and the filing of his plea or other defence in said court, or at any term of said court subsequent to the term when the appearance is entered, and before a jury is empanelled to try the same; but nothing herein contained shall be held to abridge the right of such removal after final judgment in the State court, nor shall it be necessary in the State court to offer or give surety for the filing of copies in the circuit court of the United States; but, on the filing of the petition, verified as provided in said fifth section, the further proceedings in the State court shall cease, and not be resumed until a certificate under the seal of the circuit court of the United States, stating that the petitioner has failed to file copies in the said circuit court, at the next term, is produced.

SEC. 4. And be it further enacted, That if the State court shall, notwithstanding the performance of all things required for the removal of the case to the circuit court aforesaid, proceed further in said cause or prosecution before said certificate is produced, then, in that case, all such further proceedings shall be void and of none effect; and all parties, judges, officers, and other persons, thenceforth proceeding thereunder, or by color thereof, shall be liable in damages therefor to the party aggrieved, to be recovered by action in a court of the State having proper jurisdiction, or in a circuit court of the United States for the district in which such further proceedings may have been had, or where the party, officer, or other person, so offending, shall be found; and upon a recovery of damages in either court, the party plaintiff shall be entitled to double costs.

SEC. 5. And be it further enacted, That it shall be the duty of the clerk of the State court to furnish copies of the papers and files in the case to the party so petitioning for the removal; and upon the refusal or neglect of the clerk to furnish such copies, the said party may docket the
case in the circuit court of the United States; and thereupon said circuit
court shall have jurisdiction therein, and may, upon proof of such refusal,
or neglect of the clerk of the State court, and upon reasonable notice be-
ing given to the plaintiff, require him to file a declaration or petition
therein; and upon his default may order a nonsuit, and dismiss the case
at the costs of the plaintiff, which dismissal shall be a bar to any further
suit touching the matter in controversy.

APPROVED, May 11, 1866.

CHAP. LXXXI. — An Act to authorize the Coinage of Five-cent Pieces.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That, so soon as practicable af-
after the passage of this act, there shall be coined at the mint of the Unit-
ed States a five-cent piece composed of copper and nickel, in such pro-
portions, not exceeding twenty-five per centum of nickel, as shall be de-
determined by the director of the mint, the standard weight of which shall
be seventy-seven and sixteen hundredths grains, with no greater devia-
tion than two grains to each piece; and the shape, mottoes and devices
of said coin shall be determined by the director of the mint, with the ap-
proval of the Secretary of the Treasury; and the laws now in force re-
lating to the coinage of cents, and providing for the purchase of material,
and prescribing the appropriate duties of the officers of the mint and the
Secretary of the Treasury, be, and the same are hereby, extended to the
coinage herein provided for.

Sec. 2. And be it further enacted, That all laws now in force relating to
the coins of the United States, and the striking and coining of the
same, shall, so far as applicable, be extended to the coinage herein au-
thorized, whether said laws are penal or otherwise, for the security of the
coin, regulating and guarding the process of striking and coining, for pre-
venting debasement or counterfeiting, or for any other purpose. And the
director of the mint shall prescribe suitable regulations to insure a due con-
formity to the required weights and proportions of alloy in the said coin,
and shall order trials thereof to be made from time to time by the assayer
of the mint, whereof a report shall be made in writing to the director.

Sec. 3. And be it further enacted, That said coin shall be a legal ten-
der in any payment to the amount of one dollar. And it shall be lawful
to pay out such coins in exchange for the lawful currency in the United
States, (except cents, or half cents, or two-cent pieces, issued under for-
mer acts of Congress,) in suitable sums, by the treasurer of the mint, and
by such other depositaries as the Secretary of the Treasury may desig-
nate, and under general regulations approved by the Secretary of the
Treasury. And under the like regulations the same may be exchanged
in suitable sums for any lawful currency of the United States, and the
expenses incident to such exchange, distribution, and transmission may be
paid out of the profits of said coinage; and the net profits of said coinage,
as ascertained in the manner prescribed in the second section of the act
entitled “ An act relating to foreign coins and the coinage of cents at the
mint of the United States,” approved February twenty-first, eighteen hun-
dred and fifty-seven, shall be transferred to the treasury of the United
States: Provided, That from and after the passage of this act no issues of
fractional notes of the United States shall be of a less denomination than
ten cents; and all such issues at that time outstanding shall, when paid
into the treasury or any designated depository of the United States, or
redeemed or exchanged as now provided by law, be retained and can-
celled.

Sec. 4. And be it further enacted, That, if any person or persons not
lawfully authorized shall knowingly make, issue, or pass, or cause to be
made, issued, or passed, or aid in the making, issuing, or passing of any

1857, ch. 56, § 2, 

No fractional

of

Unlawful

making, &c., of

pun-

ished.
coin, card, token, or device whatsoever, in metal or its compound, intended to pass or be passed as money for the coin authorized by this act, or for coin of equal value, such person or persons shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding one thousand dollars, and by imprisonment for a term not exceeding five years, at the discretion of the court.

SEC. 5. And be it further enacted, That it shall be lawful for the treasurer and the several assistant treasurers of the United States to redeem in national currency, under such rules and regulations as may be prescribed by the Secretary of the Treasury, the coin herein authorized to be issued, when presented in sums of not less than one hundred dollars.

APPROVED, May 16, 1866.

May 16, 1866.

Duty on live animals imported.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the passage of this act, there shall be levied, collected, and paid, on all horses, mules, cattle, sheep, hogs, and other live animals imported from foreign countries, a duty of twenty per centum ad valorem: Provided, That any such animals now bona fide owned by resident citizens of the United States, and now in any of the provinces of British America, may be imported into the United States free of duty until the expiration of ten days next after the passage of this act.

APPROVED, May 16, 1866.

May 16, 1866.

Court in northern district of Mississippi to be held at Oxford.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district courts of the United States for the northern district of Mississippi, now required, to be held at the town of Pontotoc, shall hereafter be held at the town of Oxford, in said State.

APPROVED, May 16, 1866.

May 16, 1866.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of an act to establish the grade of vice-admiral in the United States navy, approved December twenty-first, eighteen hundred and sixty-four, be, and the same is hereby, amended by adding thereto the following: "And he shall be allowed a Secretary, with the rank and sea pay and allowances of a lieutenant in the navy."

APPROVED, May 16, 1866.

May 16, 1866.

Appropriation for Post Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the service of the Post Office Department for the year ending June thirtieth, eighteen hundred and sixty-seven, out of any moneys in the treasury arising from the revenues of said department, in conformity to the act of the second of July, eighteen hundred and thirty-six:
For transportation of the mails, (inland,) nine million five hundred and fifty thousand dollars.
For transportation of the mails, (foreign,) six hundred thousand dollars.
For ship, steamboat, and way letters, eight thousand dollars.
For compensation to postmasters, four million two hundred and fifty thousand dollars.
For clerks for post offices, one million nine hundred and twenty thousand dollars.
For payment to letter-carriers, six hundred and forty thousand dollars.
For twine, thirty thousand dollars.
For letter balances, six thousand dollars.
For compensation to blank agents and assistants, eight thousand dollars.
For office furniture, six thousand dollars.
For advertising, eighty thousand dollars.
For postage stamps and stamped envelopes, two hundred and fifty thousand dollars.
For mail depredations and special agents, one hundred thousand dollars.
For mail bags, one hundred and thirty thousand dollars.
For mail locks, keys, and stamps, thirty thousand dollars.
For payment of balances due to foreign countries, three hundred and fifty thousand dollars.
For miscellaneous payments, three hundred and twenty thousand dollars.

To enable the superintendent of the Naval Observatory to carry out the object of Senate resolution of March nineteenth, eighteen hundred and sixty-six, for report of Isthmus routes to the Pacific ocean, fifteen hundred dollars.

SEC. 2. And be it further enacted, That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the year ending June thirtieth, eighteen hundred and sixty-seven, out of any money in the treasury not otherwise appropriated.

For the mail steamship service between the United States and Brazil, one hundred and fifty thousand dollars: Provided, That this appropriation shall take effect only when Brazil shall have performed the condition on her part provided in the law authorizing said service.

For the mail steamship service between San Francisco, Japan, and China, for six months ending June thirtieth, eighteen hundred and sixty-seven, two hundred and fifty thousand dollars.

For the overland mail transportation between Atchison and Folsom, and for marine mail transportation between New York and California, nine hundred thousand dollars.

SEC. 3. And be it further enacted, That the Postmaster-General be, and he is hereby, authorized to employ sailing vessels for the transportation of the mails between the ports of the United States and any foreign ports where the service may be facilitated thereby, allowing and paying therefor a compensation not exceeding the sea postages accruing on the mails so conveyed.

SEC. 4. And be it further enacted, That the Postmaster-General be, and is hereby, required to report to the Secretary of the Treasury annually, prior to the first day of November of each year, his estimate of the money required for the service of the Post Office Department for the ensuing fiscal year; which estimate shall be reported to Congress with the printed estimates of appropriations required by the joint resolution of the seventh of January, eighteen hundred and forty-six.

SEC. 5. And be it further enacted, That the balance of the appropria-
Money order system.

1864, ch. 87, § 13.

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Advertisements, proposals, &c., to be published in the two daily papers at Washington of largest circulation.

Charges.

Circulation, how and when determined.

Charges.

May 21, 1866.

Carrying away, &c., any person, to sell him as a slave, &c., or persuading thereto or aiding therein, how punished.

Knowingly receiving on board, &c., of a vessel, any person for the purpose of carrying him away to be sold or held as a slave, how punished.

Vessel to be forfeited.

SEC. 6. And be it further enacted, That all advertising, notices, and proposals for contracts for the Post Office Department, and all advertising, notices, and proposals for contracts for all the Executive Departments of the Government, required by law to be published in the city of Washington, shall hereafter be advertised by publication in the two daily newspapers in the city of Washington having the largest circulation, and in no others: Provided, That the charges for such publications shall not be higher than such as are paid by individuals for advertising in said papers: And provided also, That the same publications shall be made in each of said papers equally as to frequency, and that the circulation of such papers shall be determined upon the tenth day of June annually; and the publishers of all papers competing for such advertising shall furnish a sworn statement of their bona fide paid circulation of each regular issue for the preceding three months; and shall in like manner certify under oath that such circulation has not, during the said three months, been increased by any gratuitous circulation, by a reduction in price below the ordinary and usual price of such papers, or by any other means, for the purpose of obtaining the official advertising: Provided, That the charge for such advertising shall not be greater than is paid for the same publications in other cities, or at a higher rate than is paid by individuals for like advertising.

Approved, May 18, 1866.

CHAP. LXXXVI.—An Act to prevent and punish Kidnapping.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person shall kidnap or carry away any other person, whether negro, mulatto, or otherwise, with the intent that such other person shall be sold or carried into involuntary servitude, or held as a slave; or if any person shall entice, persuade, or knowingly induce any other person to go on board any vessel or to any other place, with the intent that he or she shall be made or held as a slave, or sent out of the country to be so made or held, or shall in any way knowingly aid in causing any other person to be held, sold, or carried away, to be held or sold as a slave, he or she shall be punished, on conviction thereof, by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment not exceeding five years, or by both of said punishments.

SEC. 2. And be it further enacted, That if the master or owners, or person having charge of any vessel, shall receive on board any other person, whether negro, mulatto, or otherwise, with the knowledge or intent that such person shall be carried from any State, Territory, or district of the United States, to a foreign country, state, or place, to be held or sold as a slave, or shall carry away from any State, Territory, or district of the United States, any such person, with the intent that he or she shall be so held or sold as a slave, such master, owner, or other person offending, shall be punished by a fine not exceeding five thousand nor less than five hundred dollars, or by imprisonment not exceeding five years, or by both of said punishments. And the vessel on board which said person was received to be carried away shall be forfeited to the United States.

Approved, May 21, 1866.
CHAP. LXXXVII. — An Act to establish a Post Route from West Alburgh, Vermont, to Champlain, in the State of New York, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the railroad bridge across Lake Champlain at Rouse's Point, connecting the Ogdensburgh and Lake Champlain railroad, in the State of New York, with the Vermont and Canada railroad, in the State of Vermont, be, and is hereby, declared a lawful structure, and is, and shall be, recognized and known as a post route.

Sec. 2. And be it further enacted, That the Ogdensburgh and Lake Champlain Railroad Company, their successors or assigns, and the Vermont and Canada Railroad Company, their successors and assigns, are hereby authorized to keep up, maintain and use the said bridge, for the transportation of the mails, and for the benefit of the general commerce between said States and the transportation of persons and property. And in place of the float now in use forming part of said bridge, they or either of them may construct and maintain two suitable draws, one of which shall be at least sixty feet wide, and the other at least ninety feet wide, and which shall always be opened by the railroad company which constructs the same, whenever required for the passage of vessels, except during and for fifteen minutes prior to the passage of mail trains. And which draws shall be so constructed and managed as at all times to afford reasonable and proper facilities for the passage of vessels: Provided, That this act shall be subject to amendment or repeal at the pleasure of Congress.

APPROVED, May 21, 1866.

CHAP. LXXXVIII. — An Act amendatory of "An Act to provide for the Reports of Decisions of the Supreme Court of the United States"

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reporter of the decisions of the Supreme Court of the United States shall hereafter be allowed the term of eight months for the publication of his reports instead of six, as provided by the act of August twenty-nine, eighteen hundred and forty-two.

APPROVED, May 21, 1866.

CHAP. LXXXIX. — An Act to regulate the Time and fix the Place for holding the Circuit Court of the United States in the District of Virginia, and for other Purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit court of the United States in the district of Virginia shall be held at the city of Richmond, commencing on the first Monday in May and on the fourth Monday of November, in each year, and the said court may adjourn its sessions, now authorized, from Norfolk to Richmond, and there hold the same, and transfer to said last-named place all records, files, process, and property pertaining to said court. And all proceedings and process in or issuing out of said court, which are, or may be, made returnable to any other times or places appointed for holding said court than herein provided, shall be deemed legally returnable on the days specified and at Richmond, and not otherwise; and all suits and other proceedings in said court which stand continued to any other time or place shall be deemed continued to the place and time prescribed by this act. And special or adjourned terms of said court may be held at such time and on such notice as may be ordered and prescribed by the Chief Justice of the Supreme Court of the United States, with the same power and jurisdiction as at regular terms. And said court, at any such regular, special, or adjourned terms,
shall have power to issue and enforce all writs and process, make all orders, and do all acts necessary for the due administration of justice and the exercise of their jurisdiction.

Approved, May 22, 1866.

May 24, 1866.

CHAP. XCVI. — An Act to incorporate the Academy of Music of Washington City.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Max Strakosch, William G. Pope, Max Maretzek, W. G. Metzerott, Joseph J. May, B. F. Isherwood, John G. Clark, Henry C. Sherman, Carl Bergman, and F. C. Adams, or any five of them, be, and they are hereby, authorized and empowered to receive subscriptions to the capital stock of a company to be denominated “The Academy of Music of Washington, D. C.” who shall open a book for that purpose in the city of Washington, at the time and place to be by them designated, of which they shall give five days' notice in two or more of the daily papers of said city, and shall keep the same open until ten thousand shares of fifty dollars a share each shall have been subscribed; and any person of lawful age, and a citizen of the United States, shall be permitted to subscribe upon paying five dollars on each share at the time of subscribing. And it shall be lawful for the said corporation to have a common seal, sue and be sued, plead and be impleaded, and have and exercise all the rights, privileges, and immunities, for the purpose of the corporation hereby created.

Sec. 2. And be it further enacted, That the affairs of the company shall be managed by nine directors, to be elected annually by ballot on the first Monday of October, by the stockholders or by their legally empowered agents; and each share of stock shall entitle the holders thereof to one vote; the election to be held at the office of the company at a general meeting of the stockholders convened for that purpose by ten days' public notice in two or more of the daily papers of the city of Washington: Provided, That the first election for directors shall be held pursuant to ten days' notice given in one or more papers of the city of Washington, by the persons named in the first section of this act, or any five of them, who shall designate the time when and the place where said election shall be held; and the stockholders shall then and there elect nine directors to serve until the next ensuing election, as provided for in this act. And at the first ensuing meeting of the directors after every election they shall appoint one of their number as president, who, together with themselves, shall hold office until the next ensuing election as herein provided for, and five members of said board shall compose a quorum. And in case that an election for directors should not be made when pursuant to this act it should have been made, the company for that cause shall not be dissolved, and it shall be lawful within forty days thereafter to hold and make an election for directors in such manner as the by-laws of the company may prescribe, and the president and directors for the time being shall be continued in office until such election take place. And in the event of death or resignation, or removal of any director from office, his place for the remainder of his term may be filled by the president and directors for the time being, in such manner as the by-laws may prescribe.

Sec. 3. And be it further enacted, That the president and directors shall have power to appoint a secretary and such other officers, agents, and clerks as may to them appear proper, to fix their compensation and pay the same.

Sec. 4. And be it further enacted, That the capital stock shall be called in and paid in such instalments and proportions, and at such times and places, as the president and directors for the time being may require and designate, who shall give fifteen days' notice thereof in two or more daily
papers of the city of Washington. And if any stockholders, subscribers, their assignees or transferees, shall refuse or neglect to pay such proportions or instalments, at the time and place appointed, such stockholders, subscriber, transferee, or assignee shall, at the option of the president and directors, forfeit to the use of the company all his, her, or their right, title, and interest in and to every share on which such instalment has not been duly paid; and fresh subscriptions may be opened for the same, in such manner as the by-laws may prescribe, or the president and directors may at their option commence suit for the same and proceed against the holder of said stock for the amount of the instalment or proportion so unpaid:

Provided, That no stockholder or subscriber shall be permitted to vote at any election for directors, or at any general or special meeting of the company, on whose shares any instalments or arrearages may be due more than fifteen days previous thereto.

SEC. 5. And be it further enacted, That the president and directors for the time being shall have power to ordain, establish, and put in execution such rules, regulations, ordinances, and by-laws as they may deem essential for the well government of the institution, not contrary to the laws and Constitution of the United States or of this act, and generally to do and perform all acts, matters, and things necessary to carry out the purposes of this corporation.

SEC. 6. And be it further enacted, That the president and directors are hereby empowered and fully authorized, on behalf of the company, to purchase and hold in fee simple, or lease for a term of years, real estate in the city of Washington sufficient to enable them to erect thereon a building suitable for operatic, dramatic, and other entertainments, in such manner, and upon such terms, as may be by them deemed for the best interests of the company.

SEC. 7. And be it further enacted, That the said company are hereby authorized to borrow money to an amount not exceeding their capital stock, upon bonds to be issued by said company, secured upon their property and franchises:

Provided, That no bond shall be issued for a less sum than one hundred dollars, and bearing a greater rate of interest than seven per centum per annum.

SEC. 8. And be it further enacted, That the president and directors shall, from time to time, divide so much of the profits of said company as to them may appear advisable, first deducting all expenses, and pay the same to the respective stockholders, or their agents duly empowered to receive the same.

SEC. 9. And be it further enacted, That the stock of said company shall be transferred on the books of the company in such manner only as the by-laws of the company may direct.

SEC. 10. And be it further enacted, That nothing in this act shall be construed as making it perpetual, but Congress may at any time alter, amend, or repeal the same.

APPROVED, May 24, 1866.

CHAP. XCVII. — An Act to amend the Charter of the Washington Gas-light Company

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the charter of the Washington Gas-light Company be, and the same is hereby, amended in the third section by substituting the word "February" for "January."

SEC. 2. And be it further enacted, That the capital stock of said company be, and the same is hereby, increased five hundred thousand dollars, subject to the same liability as is provided in the eleventh section of the original act of incorporation, approved July eighth, eighteen hundred and forty-eight.

APPROVED, May 24, 1866.
CHAP. C.—An Act to authorize the Appointment of an additional Assistant Secretary of the Navy.

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 he is hereby, authorized and empowered, by and with the advice and consent of the Senate, to appoint an additional Assistant Secretary of the Navy, who shall perform the same duties and receive the same salary as is by law allowed to the present Assistant Secretary of the Navy.

SEC. 2. And be it further enacted, That the office hereby created shall cease by limitation in six months from the approval of this act.

APPROVED, May 26, 1866.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-three of an act entitled “An act making appropriations for sundry civil expenses of the government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the thirtieth June, eighteen hundred and sixty-three, and for other purposes,” be, and the same is hereby repealed. And hereafter passports shall be issued only to citizens of the United States.

APPROVED, May 30, 1866.

CHAP. CIII.—An Act to define more dearly the Jurisdiction and Powers of the Supreme Court of the District of Columbia, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That writs of attachment and garnishments shall be issued by the clerk of the supreme court of the District, without any authority or warrant from any judge or justice, whenever the plaintiff, his agent or attorney, shall file in the clerk's office, whether at the commencement or during the pendency of the suit, an affidavit, supported by the testimony of one or more witnesses, showing the grounds upon which he bases his affidavit, and also setting forth that the plaintiff has a just right to recover against the defendant what he claims in the declaration, and also stating either, first, that the defendant is a non-resident of the District; or, second, that the defendant evades the service of ordinary process by concealing himself or by withdrawing from the District temporarily; or, third, that he has removed or is about to remove some of his property from the District, so as to defeat just demands against him; and shall also file his (the plaintiff's) undertaking, with sufficient surety or sureties, to be approved by the clerk, to make good all costs and damages which the defendant may sustain by reason of the wrongful suing out of the attachment: Provided, however, That if the defendant, his agent or attorney, shall file an affidavit traversing the plaintiff's affidavit, the court shall determine whether the facts set forth in said counter affidavit are true, and that there was just ground for issuing the writ or warrant of attachment; and if the court shall deem the facts do not sustain the affidavit, he shall quash the writ of attachment or garnishment: and this issue may be tried by a judge at chambers on three days' notice. And the thing attached shall not be discharged from the custody of the officer seizing it until the defendant shall deliver, either to the officer or to the clerk, to be filed in the cause, his undertaking, with sufficient surety or sureties, to satisfy and pay the final judgment of the court against him; and in case the defendant be found liable to the plaintiff's claim, in whole or in part, the final judgment shall be that the plain-
tiff recover against the defendant and his surety or sureties; and if the defendant fail to execute such undertaking, the court may sell the thing attached whenever it is satisfied that it is the interest of the parties that it should be sold before final judgment.

SEC. 2. And be it further enacted, That from and after the passage of this act the annual salaries of the chief justice and associate justices of the supreme court of the District of Columbia, instead of the amount now fixed by law, shall be as follows: For the chief justice, four thousand and five hundred dollars, and for each of the associate justices, four thousand dollars.

Approved, June 1, 1866.

CHAP. CIV. - An Act to incorporate the Women's Hospital Association of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Abram D. Gillette, Byron Sunderland, Charles H. Hall, George W. Sampson, J. N. Coombs, William B. Matchett, Henry D. Cooke, William W. Corcoran, Charles Knap, J. H. Thompson, Moses Kelley, Ansel St. John, Mrs. Adelaide J. Brown, Mrs. Mary W. Kelly, Elmer W. Knap, Mary C. Havenner, Mary Ellen Norment, Jane Thompson, Maria L. Harkness, Isabella Margaret Washington, Mary F. Smith, Mrs. Elmera W. Powell, and Mrs. Elizabeth Sampson, and their successors duly chosen, are hereby constituted and created a body corporate in the District of Columbia, by the name of the Columbia Hospital for Women and Lying-in Asylum.

SEC. 2. And be it further enacted, That said corporation hereby constituted shall consist of twenty-four members. They shall have power to fill all vacancies created by death, resignation, or otherwise, and to make by-laws, rules, and regulations: Provided, That such by-laws, rules, and regulations are not repugnant to the Constitution or laws of the United States.

SEC. 3. And be it further enacted, That the affairs of said corporation shall be under the control and management of a board of twelve directors, to consist of the first twelve of the above-named incorporators, or such further number as the duties of the corporation may require, such increase of numbers to be made by a vote of two-thirds of the existing board. The board of directors shall also have power to appoint all sub-committees necessary to the direction and efficiency of the institution hereby authorized to be established.

SEC. 4. And be it further enacted, That the first twelve corporators named in the first section hereof, together with those who may be elected directors as provided in the preceding section, shall constitute the first board of directors, who shall from their number elect a president, two vice-presidents, a secretary, and treasurer; and seven of the directors, of whom the president or one of the vice-presidents shall be one, shall form a quorum for the transaction of business.

SEC. 5. And be it further enacted, That the object of the association hereby incorporated is to found in the city of Washington a hospital and dispensary for the treatment of diseases peculiar to women, and lying-in asylum, in which those unable to pay therefor shall be furnished with board, lodging, medicine, and medical attendance gratuitously, and to that end full powers are hereby conferred on the association.

SEC. 6. And be it further enacted, That said corporation shall have power to accept, purchase, receive conveyances of, and hold property, either personal or real, to an amount necessary for the full accommodation, convenience, and support of the institution and those participating in its benefits.

SEC. 7. And be it further enacted, That the property, personal or real,
Property exempt from taxation.

Act may be altered, &c.

so held by said corporation, shall be exempt from all taxes and assessments levied under act of Congress, or by authority of any municipal corporation or board within the District of Columbia.

SEC. 8. And be it further enacted, That Congress may at any time hereafter alter, amend, or repeal this act.

APPROVED, June 1, 1866.

June 1, 1866 CHAP. CV. — An Act to protect American Citizens engaged in lumbering on the St. Croix River, in the State of Maine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the produce of the forests of the State of Maine, upon the St. Croix river and its tributaries, owned by American citizens, and sawed in the province of New Brunswick by American citizens, (the same being or manufactured in whole, or in part,) and having paid the same taxes as other American lumber on that river, shall be admitted into the ports of the United States free of duty, under such regulations as the Secretary of the Treasury shall from time to time prescribe.

SEC. 2. And be it further enacted, That this act shall take effect from and after its passage.

APPROVED, June 1, 1866.

June 6, 1866 CHAP. CVI. — An Act supplementary to the several Acts relating to Pensions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five of an act entitled "An act supplementary to an act entitled 'An act to grant pensions,' approved July fourteenth, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, and section three of an act entitled "An act supplementary to the several acts relating to pensions," approved March third, eighteen hundred and sixty-five, be, and the same are hereby, repealed, and the following shall stand in lieu thereof: That, from and after the passage of this act, all persons by law entitled to a pension or interest in a pension which has been, or may hereafter be, granted, who shall not have lost both eyes, or both hands, &c, shall be entitled to a pension of $25 a month, or who shall have lost both hands, or been permanently and totally disabled in the same, or otherwise so permanently and totally disabled as to render them utterly helpless, or so nearly so as to require the constant personal aid and attention of another person, shall be entitled to a pension of twenty-five dollars per month; and all persons who, under like circumstances, shall have lost both feet, or one hand and one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to be incapacitated for performing any manual labor, but not so much as to require constant personal aid and attention, shall be entitled to a pension of twenty dollars per month; and all persons who, under like circumstances, shall have lost one hand or one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to render their inability to perform manual labor equivalent to the loss of a hand or a foot, shall be entitled to a pension of fifteen dollars per month.

SEC. 2. And be it further enacted, That any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any pension which has been, or may hereafter be, granted, shall be void and of no effect; any person acting as attorney to receive and receipt for money for and in behalf of any person entitled to a pension shall, before receiving the same, take and subscribe an oath, to be filed with the pension agent, and by him to be transmitted, with the vouchers now required by law, to the proper accounting officer of the Treasury, that he has no interest in such money by any pledge, mortgage, sale, assignment, or transfer, and that he does not know or believe that the same has been so disposed of
to any person: and any person who shall falsely take the said oath shall be guilty of perjury, and, on conviction, shall be liable to the pains and penalties of perjury.

Sec. 3. And be it further enacted, That any person who shall present or cause to be presented at any pension agency any power of attorney, or other paper required as a voucher in drawing a pension, which paper shall bear a date subsequently to that on which it was actually signed or executed, such person so offending shall be deemed guilty of a high misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or by both, at the discretion of the court before whom such conviction shall be had, and no sum of money due, or to become due, to any pensioner under the laws aforesaid, shall be liable to attachment, levy or seizure by or under any legal or equitable process whatever, whether the same remains with the Pension Office or any officer or agent thereof, or is in course of transmission to the pensioner entitled thereto; but shall inure wholly to the benefit of such pensioner.

Sec. 4. And be it further enacted, That no claim agent or other person shall hereafter charge or receive more than twenty-five cents for preparing the papers necessary to enable a pensioner to receive a semi-annual payment of his pension, nor shall any pension agent charge or receive more than fifteen cents for administering an oath to a pensioner, or his attorney in fact, under a penalty of five dollars in each case.

Sec. 5. And be it further enacted, That section one of an act entitled "An act supplementary to the several acts relating to pensions," approved March three, eighteen hundred and sixty-five, is hereby repealed.

Sec. 6. And be it further enacted, That if any person entitled to an invalid pension has died since March four, eighteen hundred and sixty-one, or shall hereafter die while an application for such pension is pending, and after the proof has been completed, leaving no widow and no minor child under sixteen years of age, his heirs or legal representatives shall be entitled to receive the accrued pension to which the applicant would have been entitled had the certificate been issued before his death.

Sec. 7. And be it further enacted, That in all cases when a commission shall have been regularly issued to any person in the military or naval service who shall have died or been disabled while in the line of duty, after the date of such commission, and before being mustered, such officer or other person entitled to a pension for such death or disability by existing laws shall receive a pension corresponding to his rank, as determined by such commission, the same as if he had been mustered: Provided, That this section shall not apply to any officer who shall have wilfully neglected or refused to be so mustered.

Sec. 8. And be it further enacted, That officers absent on sick leave, and enlisted men absent on sick furlough, shall be regarded in the administration of the pension laws in the same manner as if they were in the field or hospital.

Sec. 9. And be it further enacted, That the period of service of all persons entitled to the benefits of the pension laws, or on account of whose death any person may become entitled to a pension, shall be construed to extend to the time of disbanding the organization to which such persons belonged, or until their actual discharge for other cause than the expiration of the service of such organization.

Sec. 10. And be it further enacted, That enlisted men employed as teamsters, wagoners, artificers, hospital stewards, farriers, saddlers, and all other enlisted men, however employed in the service of the army or navy, not specifically mentioned in the first section of an act entitled "An act to grant pensions," approved July fourteen, eighteen hundred and sixty-two, shall be regarded, in the administration of the pension laws, as non-commissioned officers or privates.
Pensions when not allowed to widows abandoning children or when unsuitable to have custody of them.

Sec. 11. And be it further enacted, That if any officer, soldier, or seaman shall have died of wounds received or of disease contracted in the line of duty in the military or naval service of the United States, leaving a widow and a child or children under the age of sixteen years, and it shall be duly certified under seal, by any court having probate jurisdiction, that satisfactory evidence has been produced before such court that the widow aforesaid has abandoned the care of such child or children, or is an unsuitable person, by reason of immoral conduct, to have the custody of the same, then no pension shall be allowed to such widow until said minor child or children shall have become sixteen years of age, any previous enactment to the contrary notwithstanding; and the minor child or children aforesaid shall be pensioned in the same manner as if no widow had survived the said officer, soldier, or seaman, and such pension may be paid to the regularly authorized guardian of such minor or minors.

Children to receive the pensions.

Sec. 12. And be it further enacted, That section four of an act entitled "An act to grant pensions," approved July fourteen, eighteen hundred and sixty-two, is hereby so amended that the provisions thereof shall apply to and include the orphan brother or brothers, as well as sister or sisters, under sixteen years of age, and the father as well as mother of a deceased officer or other person named in section one of the above entitled act, who were dependent upon him for support in whole or in part, subject to the same limitations and restrictions.

When orphan brother or sister may receive pension.

Sec. 13. And be it further enacted, That nothing in this or any other act shall be so construed as to repeal or modify the sixth section of an act entitled "An act supplementary to an act, entitled 'An act to grant pensions,' approved July fourteenth, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, or to entitle a person to receive a pension more than once at the same time, and in every case in which a claim for pension shall not have been filed within three years after the discharge or decease of the party on whose account the claim is made, the pension, if allowed, shall commence from the date of filing the last paper in said case by the party prosecuting the same.

Sec. 14. And be it further enacted, That the fourteenth section of an act entitled "An act supplementary to an act, entitled 'An act to grant pensions,' approved July fourteenth, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, be, and the same is hereby, repealed, and that the widows and children of colored soldiers and sailors who have been or may be hereafter killed, or who have died or may hereafter die of wounds received or of disease contracted in the military or naval service of the United States, and in the line of duty, shall be entitled to receive the pensions, bounty, and back pay provided by law, without other evidence of marriage than proof, satisfactory to the Commissioner of Pensions, that the parties had habitually recognized each other as man and wife, and lived together as such; and the children born of any marriage so proved shall be deemed and taken to be the children of the soldier or sailor party thereto.

Approved, June 6, 1866.

June 8, 1866.

Chap. CX — An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, eighteen hundred and sixty-seven.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-seven:

For pay of officers, instructors, cadets, and musicians, one hundred and fifty-four thousand eight hundred and forty dollars.
For commutation of subsistence, four thousand five hundred and sixty-one dollars.

For pay in lieu of clothing to officers' servants, one hundred and fifty-six dollars.

For current and ordinary expenses, fifty-eight thousand dollars.

For increase and expense of library, two thousand dollars.

For expenses of board of visitors, three thousand dollars.

For forage for artillery and cavalry horses, fifteen thousand dollars.

For horses for artillery and cavalry practice, one thousand dollars.

For repairs of officers' quarters, five thousand dollars.

For targets and batteries for artillery practice, five hundred dollars.

For furniture for cadets' hospital, one hundred dollars.

For gas pipes, gasometers, and retorts, three hundred dollars.

For reflooting academic buildings and barracks, six thousand dollars.

For the purchase of fuel for warming mess hall, shoemakers' and tailors' shops, two thousand dollars.

For materials for quarters for subaltern officers, three thousand dollars.

For continuing the erection of memorial tablets and mural monuments to deceased officers of the regular army, and of volunteers; arranging and preserving trophies of war; and marking with proper inscriptions the guns captured during the rebellion, five thousand dollars.

For enlarging and improving the cemetery, and for repairing the enclosure thereof, five thousand dollars.

For the removal to a safe place, and reconstruction of the magazine, ten thousand dollars.

For ventilating and heating the barracks and other academic buildings; improving the apparatus for cooking for the cadets; repairing the hospital buildings, including the introduction of baths for the sick; the construction of water closets in the library building; and new furniture for the recitation rooms, twenty thousand dollars.

For the removal and enlargement of the gas works, six thousand dollars.

SEC. 2. And be it further enacted, That no person who has served in any capacity in the military or naval service of the so-called Confederate States during the late rebellion shall hereafter receive an appointment as a cadet at the Military or Naval Academy.

APPROVED, June 8, 1866.

CHAP. CXI.—An Act making Appropriations to supply Deficiencies in the Appropriations for Contingent Expenses of the House of Representatives of the United States, for the Fiscal Year ending June thirty, eighteen hundred and sixty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated:

For miscellaneous items, ten thousand dollars.

For folding documents, seventeen thousand five hundred dollars.

For furniture and repairs, and packing boxes for members, ten thousand dollars.

For stationery, fifteen thousand dollars, for the fiscal year ending June thirty, eighteen hundred and sixty-six.

Approved, June 8, 1866.

CHAP. CXIV.—An Act to amend the Postal Laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the first day of July, eighteen hundred and sixty-six, prepaid and free letters shall be forwarded upon request, &c.
be forwarded, at the request of the party addressed, from one post office to another without additional postage charge; and returned dead letters shall be restored to the writers thereof free of postage.

SEC. 2. And be it further enacted, That the tenth section of the act entitled “An act to establish salaries for postmasters, and for other purposes,” approved July one, eighteen hundred and sixty-four; and so much of the twenty-eighth section of the act entitled “An act to amend the laws relating to the Post Office Department,” approved March three, eighteen hundred and sixty-three, as requires postage to be charged at the prepaid rate, to be collected on the return delivery of letters, indorsed with a request for their return to the writers, be, and the same are hereby, repealed; and all letters bearing such indorsement shall hereafter be returned to the writers thereof without additional postage charge.

SEC. 3. And be it further enacted, That the third section of the act entitled “An act to establish a postal money-order system,” approved May seventeen, eighteen hundred and sixty-four, be, and the same is hereby, amended so as to authorize the issuing of a money-order for any sum not to exceed fifty dollars, and that the charge or fee for an order for a sum not exceeding twenty dollars shall be ten cents; for an order exceeding twenty dollars shall be twenty-five cents.

SEC. 4. And be it further enacted, That a money-order shall be valid good for one year, and payable when presented to the deputy postmaster on whom it is drawn within one year after its date, but for no longer period; and in case of the loss of a money-order a duplicate thereof shall be issued without charge, on the application of the remitter or payee, who shall make the required proofs; and postmasters at all money-order offices are hereby authorized and required to administer to the applicant or applicants in such cases the required oath or affirmation free of charge.

SEC. 5. And be it further enacted, That all railroad companies carrying the mails of the United States shall convey without extra charge, by any train which they may run over their roads, all such printed matter as the Postmaster-General shall, from time to time, direct to be transported thereon with the persons in charge of the mails designated by the Post Office Department for that purpose.

SEC. 6. And be it further enacted, That if any person or persons shall wilfully, and maliciously injure, deface, or destroy any mailable matter deposited in any letter-box, pillar-box, or other receiving boxes established by authority of the Postmaster-General of the United States for the safe deposit of matter for the mails or for delivery, or shall wilfully aid and assist in injuring such mailable matter so deposited as aforesaid, every such offender being thereof duly convicted shall, for every such offence, be fined not more than five hundred dollars, or be imprisoned not more than three years, at the discretion of the court.

SEC. 7. And be it further enacted, That whenever it shall become expedient, in the opinion of the Postmaster-General, to substitute a different kind of postage stamps for those now in use, he shall be, and is hereby, authorized to modify the existing contract for the manufacture of postage stamps so as to allow to the contractors a sum sufficient to cover the increased expenses, if any, of manufacturing the stamps so substituted.

SEC. 8. And be it further enacted, That section two of the act entitled “An act to establish salaries for postmasters, and for other purposes,” approved July one, eighteen hundred and sixty-four, be amended by adding the following: Provided, That when the quarterly returns of any postmaster of the third, fourth or fifth class show that the salary allowed is ten per cent less than it would be on the basis of commissions under the act of eighteen hundred and fifty-four, fixing compensation, then the Postmaster-General shall review and readjust under the provisions of said section.

SEC. 9. And be it further enacted, That whenever the Postmaster-Gener
al shall require special agents of the Post Office Department to collect or disburse the public moneys accruing from postages, such special agents or agents, when so employed, shall, prior to entering upon such duty, give bond in such sum, in such form, and with such security, as the Postmaster-General may approve.

APPROVED, June 12, 1866.

CHAP. CXV — An Act making Appropriations for the Construction, Preservation, and Repairs of certain Fortifications and other Works of Defence, for the Year ending June thirty, eighteen hundred and sixty-seven.

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 construction, preservation, and repairs of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-seven:

For Fort Wayne, near Detroit, Michigan, fifty thousand dollars.
For Fort Ontario, Oswego, New York, fifty thousand dollars.
For Fort Montgomery, at outlet of Lake Champlain, New York, fifty thousand dollars.
For Fort Scammel, Portland, Maine, thirty-five thousand dollars.
For Fort George, on Hog Island ledge, Portland, Maine, fifty thousand dollars.
For Fort Popham, Kennebec river, Maine, fifty thousand dollars.
For Fort Constitution, Portsmouth, New Hampshire, seventy-five thousand dollars.
For Fort Winthrop, Boston, Massachusetts, thirty thousand dollars.
For Fort Warren, Boston, Massachusetts, twenty-five thousand dollars.
For sea-wall at Great Brewster's island, Boston harbor, Massachusetts, seventy-five thousand dollars.
For sea-walls on Deer and Lovell's islands, Boston harbor, Massachusetts, fifty thousand dollars.
For Fort at entrance of New Bedford harbor, Massachusetts, thirty thousand dollars.
For Fort Schuyler, East river, New York, thirty thousand dollars.
For repairs of Fort Hamilton, New York, thirty thousand dollars.
For fort on site of Fort Tompkins, Staten Island, New York, fifty thousand dollars.
For fort at Sandy Hook, New Jersey, fifty thousand dollars.
For repairs of Fort Mifflin, near Philadelphia, twenty-five thousand dollars.
For construction of permanent platforms for modern cannon of large calibre, in existing fortifications of important harbors, one hundred thousand dollars.
For repairs of Fort Washington, on the Potomac river, twenty thousand dollars.
For Fort Monroe, Hampton Roads, Virginia, thirty thousand dollars.
For Fort Taylor, Key West, Florida, one hundred thousand dollars.
For Fort Jefferson, Garden Key, Tortugas, fifty thousand dollars.
For fort on Ship island, coast of Mississippi, ten thousand dollars.
For Fort Clinch, Amelia island, Florida, fifty thousand dollars.
For fort at Fort Point, San Francisco bay, California, one hundred and twenty-five thousand dollars.
For fort at Lime Point, San Francisco bay, California, seventy-five thousand dollars.
For fort at Alcatraz island, San Francisco bay, California, ninety thousand dollars.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 116. 1866.

For survey of northern and northwestern lakes, including Lake Superior, fifty thousand dollars.

For purchase of sites now occupied and lands proposed to be occupied for permanent sea-coast defences, provided that no such purchase shall be made except upon the approval of its expediency by the Secretary of War, and of the validity of title by the Attorney-General, thirty-five thousand dollars.

Approved, June 12, 1866.

June 12, 1866.

CHAP. CXVI.—An Act authorizing documentary Evidence of Titles to be furnished to the Owners of certain Lands in the City of St. Louis.

Whereas within the city of Saint Louis, in the State of Missouri, there are many lots, tracts, pieces, and parcels of land which were confirmed by the act of Congress of June the thirteenth, eighteen hundred and twelve, on the ground of inhabitation, possession, or cultivation of the same prior to December the twentieth, eighteen hundred and three, and in some cases there is no adequate documentary evidence of said confirmations; and in consequence of the death of the ancient witnesses, who knew the facts of said inhabitation, possession, or cultivation, the owners of said lands, in said cases where there is no adequate documentary evidence of said confirmations, are without complete evidence of title to the same, as against the United States; and whereas persons holding grants and confirmations of lands in said city of Saint Louis, under other acts of Congress heretofore passed, may, in some cases, be without perfect documentary evidence of said grants or confirmations by the United States, and difficulties may hereafter arise therefrom, to the great injury of such persons: Therefore—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court of the United States for the eastern district of Missouri is hereby authorized, by proper decree, to declare released, granted, relinquished, and conveyed by the United States, in fee simple and in full property, all of the right, title, and interest of the United States in and to any lot, tract, piece or parcel of land within the city of Saint Louis, in the State of Missouri, to the person or persons having the best claim or claims to the same; but nothing in this act shall authorize said court to declare released, granted, relinquished, and conveyed, as aforesaid, any land within any street, lane, avenue, alley, or other public thoroughfare, or within the boundaries of any land which has been herefore granted or assigned by the United States for the use or support of schools, or within the boundaries of any land heretofore lawfully confirmed or lawfully granted by the United States, where full, sufficient, and complete documentary evidence of such confirmation or grant now exists of record.

SEC. 2. And be it further enacted, That every person desiring a decree in his or her favor, under this act, shall file a petition in said district court, asking for such decree, and describing the land for which said decree is desired; and the United States and all persons claiming such land adversely to said petitioner (if there be any such adverse claimants) shall be made defendants in said cause; and if any party to any such cause shall be a minor under the age of twenty-one years, a guardian ad litem shall be appointed by said court for said minor; and said district court shall have full and complete power, jurisdiction, and authority to hear, try, and determine all questions arising in said cause relating to the claim of the petitioner, the extent, locality, and boundaries of said claim, and all other matters connected therewith or concerning the same; and said district court shall also have power to make, prescribe, and enforce such rules and regulations as may be necessary and proper to carry this act into full and complete execution.
Sec. 3. And be it further enacted, That a copy of every petition which shall be filed under this act, and a copy of the writ or process thereto attached, shall be delivered to the district attorney of the United States for said eastern district of Missouri, by the United States marshal for said district, which said delivery shall make the United States a party to the cause specified in such petition, without any other or further proceedings, notice, service, writ or process whatever; and said district attorney shall make such defence therein for the United States as in his opinion the public interest may require; but no answer or other pleadings filed by said attorney in such cause shall be required to be verified by oath or affirmation.

Sec. 4. And be it further enacted, That for the purpose of more completely describing, identifying, and defining the boundaries, situation, and locality of any lot, tract, piece or parcel of land sought to be released, granted, relinquished and conveyed under this act, the said district court shall have power to cause an accurate survey, plat, and description thereof to be made by a competent person at the expense of the petitioner; and all of the expenses and costs of all suits and other proceedings under this act shall be paid by the respective petitioners, and the payment thereof may be enforced by execution or otherwise.

Sec. 5. And be it further enacted, That every decree which shall be rendered under this act in favor of any petitioner shall be deemed a full, sufficient, and complete release, grant, relinquishment, and conveyance, in fee simple and in full property, to such petitioner, and to his or her heirs and assigns, forever, of all the right, title, and interest of the United States in and to the land described in such decree.

Sec. 6. And be it further enacted, That whenever said district court or the circuit court shall render a final decree under this act, concerning any lot, tract, piece or parcel of land, such court shall cause to be transmitted to the commissioner of the general land office a full, true, and complete transcript of said final decree, and of the description or survey of said land.

Sec. 7. And be it further enacted, That any party to any final decree rendered by said district court in any suit or cause commenced under this act may appeal from said final decree of said district court to the circuit court of the United States for the district of Missouri, at any time within one year from the time of the rendition of said final decree, and not after that time; and on the granting of said appeal, a full, true, and complete transcript of said final decree, and of the petition, and all other pleadings and proceedings in said cause, and of the evidence therein, shall be transmitted to said circuit court. And when said appeal shall have been completed, said circuit court shall have full and complete jurisdiction over said cause, and may allow the pleadings to be amended if necessary, and may admit new parties if necessary, and shall hear, try, and determine said cause de novo, without regarding any error, defect, or other imperfection in the proceedings of said district court, and shall render such final decree therein as the facts and the justice of said cause may require.

Sec. 8. And be it further enacted, That in case of any difference of opinion between the judges of the said circuit court upon any question arising in any such cause, the same may be certified to the supreme court of the United States, for its decision thereon as in other cases.

Sec. 9. And be it further enacted, That all of the right, title, and interest of the United States in and to all of the wharves, streets, lanes, avenues, alleys, and other public thoroughfares which are situate, lying, and being within the corporate limits of the city of St. Louis, in the State of Missouri, shall be, and the same are hereby, granted, relinquished, and conveyed by the United States, in fee simple and in full property, to the said city of St. Louis, and to the successors and assigns forever of said city: Provided, however, That no individual rights or titles acquired previously hereto shall be in any manner impaired or prejudiced hereby.

APPROVED, June 12, 1866.
Right of way through public lands granted to Humboldt Canal Company.

Proviso.

Certain public lands may be flowed to create a reservoir.

Sites for waste-gates, mill-sites, depots, &c.

Proviso.

Plan of location, &c., to be sent to general land office.

This grant to cease, &c., unless, &c.

This grant not to interfere with former grants to any railroad company.

June 14, 1866.

CHAP. CXVIII. — An Act to grant the Right of Way to the "Humboldt Canal Company" through the Public Lands of the United States.

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That the right of way for a canal through the public lands of the United States lying in Humboldt county, State of Nevada, and the use of the land for tow-paths, cuttings, and embankments, to the extent of fifty feet on each side of the center of the canal, shall be, and is hereby, granted to the Humboldt Canal Company: Provided, That in cases where deep excavation or heavy embankment is required, such greater width, not exceeding two hundred feet, may be taken by said company as may be necessary.

Sec. 2. And be it further enacted, That, in order to create a reservoir for said company sufficient to feed said canal in all seasons, said company shall be, and is hereby, authorized, by a dam across the Humboldt river, at such point at or near the gap in the Fremont range of mountains through which said river passes, to flow so much of the public lands above said dam as may be required for the purpose of said reservoir.

Sec. 3. And be it further enacted, That there shall be, and is hereby, granted to said company the necessary sites along said canal for waste-gates, mill-sites, depots, and other uses of said canal, so far as places convenient for the same fall upon the public lands, and also the privilege of discharging the waste waters of said canal over any public lands into the said Humboldt river, at such places as may be suitable for that purpose: Provided, That the proper officers of said company shall transmit to the commissioner of the general land office a correct plat of the survey and location of said canal, and of the sites needed for mills, depots, waste-gates, and other uses of said canal, before the appropriation thereof for said uses shall become operative: And provided further, That if said canal shall at any time after its completion be discontinued or abandoned by said company, the grants hereby made shall cease and determine, and the lands hereby granted shall revert to the United States: And provided further, That nothing in this act shall be so construed as to interfere with any grant of the right of way and of public lands heretofore made to any railroad company.

APPROVED, June 12, 1866.

June 19, 1866.

CHAP. CXVII. — An Act to grant the Right of Way to the "Humboldt Canal Company" through the Public Lands of the United States.

Disbursing officers to deposit public money with the treasurer or assistant treasurer, to draw only as required. Transfers to be by draft. Deposits where to be made, if there is no treasurer or assistant treasurer.

Disbursing officers to deposit public money with the treasurer or some assistant treasurer, to draw only as required. Transfers to be by draft. Deposits where to be made, if there is no treasurer or assistant treasurer.

SEC. 2. And be it further enacted. That if any disbursing officer of the
United States shall deposit any public money intrusted to him in any place or in any manner, except as authorized by law, or shall convert to his own use in any way whatever, or shall loan, with or without interest, or shall for any purpose not prescribed by law withdraw from the treasurer or any assistant treasurer, or any authorized depository, or shall for any purpose not prescribed by law transfer or apply any portion of the public money intrusted to him, every such act shall be deemed and adjudged an embezzlement of the money so deposited, converted, used, loaned, withdrawn, transferred, or applied, and every such act is hereby declared a felony, and upon conviction thereof shall be punished by imprisonment for a term not less than one year nor more than ten years, or by fine not more than the amount embezzled nor less than one thousand dollars, or by both such fine and imprisonment, at the discretion of the court.

Sec. [3.] And be it further enacted, That if any banker, broker, or any person, not an authorized depository of public moneys, shall knowingly receive from any disbursing officer, or collector of internal revenue, or other agent of the United States any public money on deposit or by way of loan or accommodation, with or without interest, or otherwise than in payment of a debt against the United States; or shall use, transfer, convert, appropriate or apply any portion of the public money for any purpose not prescribed by law; or shall counsel, aid, or abet any disbursing officer or collector of internal revenue or other agent of the United States in so doing, every such act shall be deemed and adjudged an embezzlement of the money so deposited, loaned, transferred, used, converted, appropriated, or applied; and any president, cashier, teller, director, or other officer of any bank or banking association who shall violate any of the provisions of this act shall be deemed and adjudged guilty of embezzlement of public money, and punished as provided in section two of this act.

Approved, June 14, 1866.

CHAP. CXXIII — An Act to provide for the Settlement of Accounts of certain Public Officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, all monies raised in the United States for the support of refugees or freedmen, and received by any officer of the United States army, shall be charged against such officer on the books of the Treasury Department and accounted for by him in like manner as if such monies had been drawn from the treasury of the United States, and if any part thereof shall have been expended for the use of refugees or freedmen, the same shall be passed to the credit of the officer, if, upon examination of his accounts, it shall appear to the proper accounting officer of the Treasury Department that the amount expended was properly disbursed for such refugees or freedmen, and on the adjustment of the accounts of the officer, if any balance shall remain in the hands of such officer the same shall be paid into the treasury of the United States, for a fund for the relief of refugees and freedmen. And any officer having such balance in his hands, who, after being duly required, shall refuse or neglect to pay over the same, or who shall, after due notice, fail to settle his account, shall be proceeded against in the same manner as is provided for by existing laws in the case of disbursing officers who neglect or refuse to account for monies drawn from the treasury of the United States.

Sec. 2. And be it further enacted, That where accounts are rendered for expenditures for refugees or freedmen under the approval and sanction of the proper officers, and which shall have been proper and necessary, but cannot be settled for want of specific appropriations, the officers violating banks for violating this act.

Moneys received by any United States officer for the refugees or freedmen to be charged to him and accounted for.

Officers having a balance in their hands and neglecting or refusing to pay it over, &c, to be proceeded against in the same manner as is provided for by existing laws.

Accounts for expenditures for refugees, &c, to be paid from what fund, and how.
same may be paid out of the fund for the relief of refugees and freedmen, on the approval of the commissioner of the bureau of refugees and freedmen.

Approved, June 15, 1866.

June 15, 1866.

Preamble.

Steam railroads may carry over their road passengers and freight from one State to another and connect with roads of other States to form continuous lines.

Existing contracts and conditions not affected.

New roads not authorized without authority from State.

This act may be amended, &c.

June 18, 1866.

Pay of those employed as examiners and assistant examiners in the patent office.

To be taken from patent office fund, &c.

June 21, 1866.

All public lands in certain States to be disposed of only according to the provisions of the homestead law. 1862, ch. 75. Vol. xiv. p 322. 1884, ch. 38. Vol. xiii. p 35.
act, no entry shall be made for more than a half-quarter section, or eighty acres; and in lieu of the sum of ten dollars required to be paid by the second section of said act, there shall be paid the sum of five dollars at the time of the issue of each patent; and that the public lands in said States shall be disposed of in no other manner after the passage of this act: Provided, That no distinction or discrimination shall be made in the construction or execution of this act on account of race or color: And provided further, That no mineral lands shall be liable to entry and settlement under its provisions.

SEC. 2. And be it further enacted, That section second of the above-cited homestead law, entitled “An act to secure homesteads to actual settlers on the public domain,” approved May twentieth, eighteen hundred and sixty-two, be so amended as to read as follows: That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one years or more of age, or shall have performed service in the army or navy of the United States, and that such application is made for his or her exclusive use and benefit, and that said entry is made for the purpose of actual settlement and cultivation, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever; and upon filing the said affidavit with the register or receiver, and on payment of five dollars, when the entry is of not more than eighty acres, he or she shall thereupon be permitted to enter the amount of land specified: Provided, however, That no certificate shall be given, or patent issued therefor, until the expiration of five years from the date of such entry; and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry, or, if he be dead, his widow; or in case of her death, his heirs or devisee, or in case of a widow making such entry, her heirs or devisee, in case of her death, shall prove by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, and shall make affidavit that no part of said land has been alienated, and that he will bear true allegiance to the government of the United States; then, in such case, he, she, or they, if at that time a citizen of the United States, shall be entitled to a patent, as in other cases provided by law: And provided further, That in case of the death of both father and mother, leaving an infant child or children under twenty-one years of age, the right and fee shall enure to the benefit of said infant child or children, and the executor, administrator, or guardian may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the State in which such children, for the time being, have their domicile, sell said land for the benefit of said infants, but for no other purpose; and the purchaser shall acquire the absolute title by the purchase, and be entitled to a patent from the United States on the payment of the office fees and sum of money herein specified: Provided, That until the first day of January, eighteen hundred and sixty-seven, any person applying for the benefit of this act shall, in addition to the oath, hereinafore required, also make oath that he has not borne arms against the United States, or given aid and comfort to its enemies.

SEC. 3. And be it further enacted, That all the provisions of the said homestead law, and the act amendatory thereof, approved March twenty-first, eighteen hundred and sixty-four, so far as the same may be applicable, except so far as the same are modified by the preceding sections of this act, are applied to and made part of this act as fully as if herein enacted and set forth.

APPROVED, June 21, 1866.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 128. 1866.

June 21, 1866.  

CHAP. CXXVIII—An Act to reimburse the State of West Virginia for Moneys expended for the United States in enrolling, equipping, and paying Military Forces in suppressing the Rebellion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That immediately after the passage of this act the President shall appoint three commissioners whose duty it shall be to ascertain the amount of moneys expended by the State of West Virginia in enrolling, supplying, equipping, subsisting, transporting, and paying such State forces as have been called into service in said State since the twentieth day of June, eighteen hundred and sixty-one, to act in concert with the United States forces in the suppression of rebellion against the United States.

SEC. 2. And be it further enacted, That the commissioners so appointed shall proceed at once to examine all the expenditures made by said State for the purposes herein named, allowing only for disbursements made and amounts assumed by the State for enrolling, equipping, subsisting, transporting, supplying, and paying such troops as were called into service by the governor, at the request of the United States department commander commanding the district in which West Virginia may at the time have been included, or by the express order, consent, or concurrence of such commander, or which may have been employed in suppressing rebellion in said State. And no allowance shall be made for any troops which did not perform actual military service in full concert and co-operation with the authorities of the United States and subject to their orders.

SEC. 3. And be it further enacted, That in making up said account, for the convenience of the accounting officers of the government, the commissioners shall state separately the amounts expended, respectively, for enrolling, equipping, arming, subsisting, transporting, and paying said troops, and from the aggregate amount they shall deduct the amount of direct tax due by the said State to the United States under the act entitled "An act to provide increased revenue from imports, pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one.

SEC. 4. And be it further enacted, That in the adjustment of accounts under this act the commissioners shall not allow for any expenditure or compensation for service at a rate greater than was at the time authorized by the laws of the United States in similar cases.

SEC. 5. And be it further enacted, That so soon as said commissioners shall have made up said account and ascertained the balance, as herein directed, they shall make written report thereof, showing the different items of expenditure, as hereinbefore stated, to the Secretary of the Treasury, who shall cause the same to be examined by the proper accounting officers of the treasury, and said officers shall audit the accounts as in ordinary cases; and if from their report it shall appear that any sum remains due to the said State, he shall draw his warrant for the same, payable to the governor of said State, and deliver it to him.

SEC. 6. And be it further enacted, That the commissioners to be appointed as aforesaid shall, before proceeding to the discharge of their duties, be sworn that they will carefully examine the accounts existing between the United States and the State of West Virginia, and that they will, to the best of their ability, make a just, true, and impartial statement thereof, as required by this act. They shall receive such compensation for their services as may be determined by the Secretary of the Treasury.

SEC. 7. And be it further enacted, That the sum of three hundred and sixty-eight thousand five hundred and forty-eight dollars and thirty-seven cents be, and the same is hereby, appropriated to carry this act into effect.

APPROVED, June 21, 1866.
CHAP. CXXIX.—An Act to establish a Hydrographic Office in the Navy Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be a hydrographic office attached to the bureau of navigation in the Navy Department, for the improvement of the means for navigating safely the vessels of the navy and of the mercantile marine, by providing, under the authority of the Secretary of the Navy, accurate and cheap nautical charts, sailing directions, navigators, and manuals of instructions, for the use of all vessels of the United States, and for the benefit and use of navigators generally.

SEC. 2. And be it further enacted, That the Secretary of the Navy be, and he is hereby, authorized to cause to be prepared, at the hydrographic office attached to the bureau of navigation in the Navy Department, maps, charts, and nautical book relating to and required in navigation, and to publish and furnish them to navigators at the cost of printing and paper, and to purchase the plates and copyrights of such existing maps, charts, navigators, sailing directions and instructions, as he may consider necessary, and when he may deem it expedient to do so, and under such rules, regulations, and instructions as he may prescribe.

SEC. 3. And be it further enacted, That the moneys which may be received from the sale of all such maps, charts, and nautical books shall be returned by the Secretary of the Navy into the treasury of the United States, to be used in the further preparation and publication of maps, charts, navigators, sailing directions and instructions for the use of seamen, and to be sold at the rates as set forth in the preceding section.

APPROVED, June 21, 1866.

CHAP. CXXX.—An Act to incorporate the "Howard Institute and Home" of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James M. Edmunds, Sayles J. Bowen, Cordial Storrs, Augustin Chester, John R. Elvans, J. Sayles Brown, and Linus D. Bishop, and their associates and successors, are hereby declared to be a body politic and corporate, under the name and style of "The Howard Institute and Home" of the District of Columbia, and as such shall have perpetual succession, with power to receive, purchase, and hold real or personal property, and to be able to sue and be sued, and to plead and be impleaded in all courts of law and equity in the United States, and to ordain and establish such by-laws, ordinances, and regulations as may be deemed necessary to carry into effect this act, and promote the objects of the corporation hereby created.

SEC. 2. And be it further enacted, That the object for which this corporation is created is declared to be the establishment of a charitable institution for the instruction of freedmen in the industrial pursuits of life and fit them for independent self-support, and to afford a temporary home for such freedmen as may, from sickness, misfortune, age, or infirmity, require fostering care until otherwise relieved.

SEC. 3. And be it further enacted, That James M. Edmunds, Sayles J. Bowen, Cordial Storrs, Augustin Chester, John R. Elvans, J. Sayles Brown, and Linus D. Bishop, are hereby appointed a board of managers of said "Howard Institute and Home," for one year from and after the passage of this act; and that thereafter a board of managers, consisting of seven persons, shall be elected from and by the contributors to the means to establish said institution, for such time and according to such rules as said corporation may establish. And said board of managers shall have the exclusive control of all the property, real or personal, contributed or belonging to said corporation, and to appoint such officers as may be deemed requisite for the conduct of its business, for such time and at such salaries as they may determine, and to change either at pleasure.
SEC. 4. And be it further enacted, That the corporation hereby created shall be established and maintained by voluntary contributions, gifts, donations, or bequests of money and other property, made to the same for that purpose. And the board of managers shall cause a record to be kept of all such contributions, gifts, donations, and bequests, with the name and residence of each person making the same, and of all expenditures made by said board for the establishment and conduct of said institute and home, and make an annual report of the same, exhibiting the several items of expenditure and objects thereof, and generally the work accomplished by said corporation, to the Secretary of the Interior, a copy of which report shall be sent to each individual who shall have contributed not less than five dollars to said corporation during the year previous to the issuing of said report.

SEC. 5. And be it further enacted, That Congress may, at any time, alter, amend, or annul this act.

APPROVED, June 21, 1866.

June 21, 1866. CHAP. CXXXI. — An Act to regulate the Appointment of Paymasters in the Navy, and explanatory of an Act for the better Organization of the Pay Department of the Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appointments to be made under the act entitled "An act to provide for the better organization of the pay department of the navy," approved May third, eighteen hundred and sixty-six, may be made from the number of acting assistant paymasters of the navy who performed duty as acting assistant paymasters during the war, and who at the time of their appointment under this act shall not be over the age of thirty-two years.

SEC. 2. And be it further enacted, That the President of the United States be, and he is hereby, authorized to waive the examination of such officers in the pay department of the navy as are on duty abroad, and cannot at present be examined, as required by law: Provided, That such examinations as are required by law shall be made as soon as practicable after the return of said officers to the United States, and no officer found to be disqualified shall receive the promotion contemplated in the act herein referred to.

APPROVED, June 21, 1866.

June 21, 1866. CHAP. CXXXII. — An Act authorizing the Restoration of Commander Charles Hunter to the Navy.

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 he is hereby, authorized to restore Charles Hunter late a commander in the navy, to the position which he held on the retired list of the navy when dismissed therefrom.

APPROVED, June 21, 1866.

June 22, 1866. CHAP. CXXXVIII. — An Act making Appropriations for the Repair, Preservation, and Completion of certain Public Works heretofore commenced under the Authority of Law, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction and superintendence of the Secretary of War, for the repair, preservation, and completion of the following works, heretofore commenced under the authority of law, and for the other purposes hereinafter named, that is to say:
For examination and survey of works of improvement for which appropri-ations have been heretofore made, and concerning which no suf-
ficient information is now in possession of the department, and for examination and survey at other points in the fourth section of this act specified, that is to say, on the Atlantic coast thirty thousand dollars; on the Pacific coast twenty-five thousand dollars; on the northwestern lakes one hundred thousand dollars; on the western and northwestern rivers one hundred thousand dollars. And the Secretary of War, when the public interests require it, shall cause examinations or re-examinations to be made, with suitable surveys of the works aforesaid, and all other works provided for by this act, and shall make such changes or modifications of the plans heretofore adopted for their improvement as shall be necessary and proper. And he shall cause such needful examination of other har-

bors and places in the fourth section of this act specified, upon the sea
doors and lake coasts, and on western rivers, to be made as will enable him to determine what improvements thereof are required to render them safe and convenient for the navigation of the naval and commercial vessels of the United States and the cost of such improvements, and he shall make full report thereof; and of the plans deemed advisable therefor, to Con-
gress, at the commencement of the next session, for such action as may be judged expedient and right. And if, upon such examination and sur-
vey of works first herein named, being works now existing or in process of completion, and concerning which no sufficient information is now in the possession of the department, there shall remain an unexpended bal-
ance of appropriation properly applicable thereto from the sums herein appropriated, which may, in the judgment of the Secretary of War, be judiciously applied toward the economical and needful continuation or completion of such works, the Secretary of War shall direct such balance to be applied and used accordingly; but no moneys shall be used for such purposes, excepting from the balances remaining from appropriations herein made for the specific examination and survey of such works.

For extending the breakwater at Portland harbor, Maine, one hundred and five thousand one hundred and eleven dollars and five cents.

For improvement of navigation of Hudson river, New York, fifty thousand dollars.

For preservation of Provincetown harbor, Massachusetts, forty-three thousand and sixty-eight dollars and forty-four cents.

For improvement of Thames river, Connecticut, ten thousand dollars.

For extension and repair of breakwater at Burlington, Vermont, twenty-seven thousand six hundred and seventy-two dollars and twenty cents.

For completion and repair of Delaware breakwater, Delaware bay, one hundred and seven thousand nine hundred and ten dollars.

For improving channel of Susquehanna river below Havre de Grace, Maryland, twenty-six thousand four hundred dollars.

For continuing improvement of Patapsco river, Maryland, five thousand two hundred dollars.

For construction of snag-boats and other apparatus for clearing western rivers, and for the outfit, working, and preservation thereof, five hundred and fifty thousand dollars.

And the Secretary of the Navy is hereby authorized and directed, upon such terms as may be agreed on by the Secretary of the Navy and the Secretary of War, to transfer to and place at the disposal of the Secret-
ary of War such steamers of the United States, with boats and equipage belonging thereto, and used during the rebellion, as portions of the river fleet, as may be so transferred in the judgment of the Secretary of the Navy without detriment to the public service, and as may be conveniently and fitly used in raising snags or removing obstructions from western rivers, so as to render them safe and navigable for the vessels of the United States and for the uses of commerce; and if the same shall be

Examinations and surveys.

Re-examina-
tions and
changes in plans.

Examination of harbors, to de-
termines im-
provements, &c., necessary to make them safe for navigation.

Report to Con-
gress.

Application of certain unex-
pended balances.

Breakwater at Portland harbor, Me.

Hudson river.

Provincetown harbor.

Thames river.

Breakwater at Burlington, Vt.

Delaware breakwater.

Channel of Susquehanna river.

Patapsco river.

Snag-boats and other apparatus.

Secretary of Navy to transfer, &c., to Secretary of War steamers, &c., suitable for use in raising snags, &c., from western rivers.
<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mouth of the Mississippi river</td>
<td>$75,000</td>
<td>For improving the mouth of the Mississippi river, seventy-five thousand dollars.</td>
</tr>
<tr>
<td>Mouth of the Mississippi, Missouri, Arkansas, and Ohio rivers</td>
<td>$500,000</td>
<td>For improvement of the Mississippi, Missouri, Arkansas, and Ohio rivers, five hundred and fifty thousand dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$200,000</td>
<td>For improvement of the Des Moines rapids, Mississippi river, two hundred thousand dollars.</td>
</tr>
<tr>
<td>Rock Island rapids</td>
<td>$100,000</td>
<td>For improvement of the Rock Island rapids, Mississippi river, one hundred thousand dollars.</td>
</tr>
<tr>
<td>Mouth of the Mississippi, Missouri, Arkansas, and Ohio rivers</td>
<td>$75,000</td>
<td>For improvement of the Saint Clair flats, Michigan, eighty thousand dollars.</td>
</tr>
<tr>
<td>Mouth of the Mississippi, Missouri, Arkansas, and Ohio rivers</td>
<td>$150,000</td>
<td>For improvement of the Saint Mary's river, between Lake Superior and Lake Huron, fifty thousand dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement of Oswego harbor, New York, and preservation of the public works at that point, forty-five thousand dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Little Sodus Bay harbor, Fairhaven, in Cayuga county, New York, thirty-three thousand eight hundred and forty dollars and forty-one cents.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Big Sodus Bay harbor, Wayne county, New York, fifty-three thousand one hundred and fifty-one dollars and eighty cents.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Grand river, Ohio, twenty-four thousand seven hundred and eight dollars and eighty-two cents.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Grand river, Ohio, twenty-five thousand and seventy-two dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Cleveland, Ohio, fifty-nine thousand eight hundred and six dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Black river, Ohio, ten thousand dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Vermilion, Ohio, fifteen thousand three hundred and fifteen dollars and seventy-four cents.</td>
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<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Huron, Ohio, thirty-nine thousand dollars.</td>
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<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Sandusky City, Ohio, thirty-eight thousand five hundred and eighty dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Toledo, Ohio, twenty thousand dollars.</td>
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<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Monroe, Michigan, thirty-one thousand and fifteen dollars and twenty-seven cents.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at Aux Bees Scies, Frankfort, Michigan, eighty-eight thousand five hundred and forty-one dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement of harbor at Grand Haven, Michigan, sixty-five thousand dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement of harbor at Black Lake, Michigan, fifty-six thousand six hundred and fifteen dollars and thirty-one cents.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement of harbor at Saint Joseph, Michigan, six thousand dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement at the mouth of Saginaw river, Michigan, sixty-five thousand dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement of harbor at Chicago, Illinois, eighty-eight thousand seven hundred and four dollars.</td>
</tr>
<tr>
<td>Des Moines rapids</td>
<td>$75,000</td>
<td>For improvement of harbor at Kenosha Wisconsin, seventy-five thousand four hundred and sixty-one dollars and forty-one cents.</td>
</tr>
</tbody>
</table>
For improvement of harbor at Racine, Wisconsin, twenty-three thousand nine hundred and ten dollars.

For improvement of harbor at Milwaukee, Wisconsin, forty-eight thousand two hundred and eighty-three dollars and fifty-one cents.

For improvement of harbor at Sheboygan, Wisconsin, forty-seven thousand five hundred and ninety-eight dollars and ninety-one cents.

For improvement of harbor at Manitowoc, Wisconsin, fifty-two thousand dollars.

For repairs of government wharves and landings, and improving harbor at Marcus Hook, on Delaware river, Pennsylvania, five thousand dollars: Provided, That before expenses shall be incurred on said wharves and landings, it shall be shown to the satisfaction of the Secretary of War that the same belong to the United States.

For improvement of the harbor at Green Bay, at the mouth of Fox river, Wisconsin, thirty thousand five hundred dollars.

For constructing works and improving the entrance into the harbor of Michigan City, Indiana, seventy-five thousand dollars: Provided, That it shall be first shown to the satisfaction of the Secretary of War that a sum equal to double the amount aforesaid has been expended by the Michigan City Harbor Company in the construction of a safe and convenient harbor at that place: And provided, That the passage of vessels to and from said harbor shall be free and not subject to toll or charge.

For improvement of the Kennebec river, in the State of Maine, between Sheppard Point and the city of Augusta, twenty thousand dollars.

For removal of obstructions to navigation in the Willamette river, between Portland and its mouth, in the State of Oregon, fifteen thousand dollars.

For continuing the repair of the piers in Saco river, in the State of Maine, forty thousand dollars.

SEC. 2. And be it further enacted, That the money appropriated by this act shall be so applied as to complete, or make the nearest approximation to completing, the work for which each specific appropriation is made; and it shall be the duty of the Secretary of War to apply the sums herein appropriated for other purposes than for examinations and surveys by contract: Provided, That no contract shall be made except after public advertisement for proposals in such form and manner as to secure general notice thereof, and the same shall only be made with the lowest responsible bidder therefor, upon security deemed sufficient in the judgment of the Secretary. And it shall be the duty of the said Secretary, at the earliest practicable time, to report to Congress the result of any survey or resurvey, with the plan adopted and the items of expenditure under said plan; and he shall make report of all action taken under the provisions of this act; and he shall accompany said report with a statement of the amount and date of all former appropriations for each work, and a full estimate for its entire and permanent completion, with the amount that can be profitably expended in the next fiscal year. And he shall also state in what collection district each work is located, and at or near what port of entry, light-house, or fort; what amount of revenue was collected at the nearest port of entry for the last fiscal year; and, as far as practicable, what amount of commerce and navigation would be benefited by the completion of each particular work; Provided, That he shall continue to make such a report at the commencement of every session of Congress until the works herein provided for shall all be completed.

SEC. 3. And be it further enacted, That whenever the Secretary of War shall invite proposals for any works, or for any material or labor for any works, there shall be separate proposals and separate contracts for each work, and also for each class of material or labor for each work; and he shall report to Congress, at its next session, all the bids with the amount of each bid.
names of the bidders. All persons not holding commissions in the regular army of the United States who shall be intrusted with the disbursement of the funds appropriated for the works named in this act, shall be required to give bond and ample security for the faithful application of the same; and no such disbursing officer in the army of the United States shall receive any commission or compensation for making such disbursements. And the moneys hereinbefore appropriated shall remain and be at the disposal of the Secretary of War, and subject to his control for the purposes named in this act, until the several works and improvements herein provided for are completed, any law or regulation to the contrary notwithstanding.

Sec. 4. And be it further enacted, That the Secretary of War is hereby directed to cause examinations or surveys, or both as aforesaid, to be made at the following points, namely: At Superior City, Eagle Harbor, Marquette, and Lac la Belle, on Lake Superior, and at Ausable river, in the State of Michigan; of the Ohio river between Pittsburg, Pennsylvania, and Buffalo island, West Virginia; of Sandusky river, Ohio; at Chester harbor, Pennsylvania; at Bridgeport, Connecticut; at Hell Gate, New York; at the port of Ogdensburg, New York; at San Francisco, California; at the "Grand Chain," in the Ohio river; at the harbor of Baltimore, between Fort McHenry and the mouth of the Patapsco river, in the State of Maryland; of the Mississippi river, between Fort Snelling and the Falls of Saint Anthony and the upper or Rock River rapids of the Mississippi river, with a view to ascertain the most feasible means, by economizing the water of the stream, of insuring the passage, at all navigable seasons, of boats drawing four feet of water; of the Minnesota river, from its mouth to the Yellow Medicine river, in order to ascertain the practicability and expense, by slack-water navigation or otherwise, of securing the continued navigability of said stream during the usual season of navigation; and for examining and reporting upon the subject of constructing railroad bridges across the Mississippi river, between St. Paul, in Minnesota, and St. Louis, in the State of Missouri, upon such plans of construction as will offer the least impediment to the navigation of the river; of Rock river; the Kennebec river above Gardiner, Maine; the Penobscot river above Hampden, Maine; at the Zambiq river, Minnesota; at the Cannon river, Minnesota; at the harbor and the mouth of the Eighteen-mile creek, at Ocott, New York; at St. Croix river, above the ledge; from the mouth of Illinois river to La Salle; together with such necessary estimates of cost, as hereinbefore provided, as will enable the Secretary of War to determine what improvements and public works shall be necessary at the respective points aforesaid. And the Secretary of War shall cause a survey to be made at the harbor of Burlington, Vermont, and the harbor of Dunkirk, New York; at the harbor of Oak Orchard Creek, New York; and at Muskegon, White river, Manistee, South Haven, and New Buffalo, in the State of Michigan; the Fox and Wisconsin rivers, in the State of Wisconsin; and the Rock river, in the States of Illinois and Wisconsin, with its connections with Lake Winnebago; and the upper Columbia river, Oregon.

Approved, June 23, 1866.

June 27, 1866.

CHAP. CXL.—An Act to provide for the Revision and Consolidation of the Statute Laws of the United States.

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 he is hereby, authorized, by and with the advice and consent of the Senate, to appoint three persons, learned in the law, as commissioners, to revise, simplify, arrange, and consolidate all statutes of the United States, general and permanent in their nature.
force at the time such commissioners may make the final report of their doings.

SEC. 2. And be it further enacted, That, in performing this duty, the commissioners shall bring together all statutes and parts of statutes which, from similarity of subject, ought to be brought together, omitting redundant or obsolete enactments, and making such alterations as may be necessary to reconcile the contradictions, supply the omissions, and amend the imperfections of the original text; and they shall arrange the same under titles, chapters, and sections, or other suitable divisions and subdivisions, with head-notes briefly expressive of the matter contained in such divisions; also with side-notes, so drawn as to point to the contents of the text, and with references to the original text from which each section is compiled, and to the decisions of the federal courts, explaining or expounding the same, and also to such decisions of the State courts as they may deem expedient; and they shall provide by a temporary index, or other expedient means, for an easy reference to every portion of their report.

SEC. 3. And be it further enacted, That when the commissioners have completed the revision and consolidation of the statutes, as aforesaid, they shall cause a copy of the same, in print, to be submitted to Congress, that the statutes so revised and consolidated may be re-enacted, if Congress shall so determine; and at the same time they shall also suggest to Congress such contradictions, omissions, and imperfections as may appear in the original text, with the mode in which they have reconciled, supplied, and amended the same; and they may also designate such statutes or parts of statutes as, in their judgment, ought to be repealed, with their reasons for such repeal.

SEC. 4. And be it further enacted, That the commissioners shall be authorized to cause their work to be printed in parts, so fast as it may be ready for the press, and to distribute copies of the same to members of Congress, and to such other persons, in limited numbers, as they may see fit, for the purpose of obtaining their suggestions; and they shall, from time to time, report to Congress their progress and doings.

SEC. 5. And be it further enacted, That the statutes so revised and consolidated shall be reported to Congress as soon as practicable, and the whole work closed without unnecessary delay.

SEC. 6. And be it further enacted, That the commissioners shall each receive as compensation for his services at the rate of five thousand dollars a year for three years, with the reasonable expenses of clerical service and other incidental matters, not to exceed two thousand dollars annually for such expenses.

APPROVED, June 27, 1866.


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 is hereby, authorized and directed to change, fix, and establish the position of the railroad across Rock Island and the bridge across the Mississippi river at and on the island of Rock Island, so as best to accord with the purposes of the government in its occupancy of said island for military purposes; and in order to effect this he is authorized to grant to the railroad company a permanent location and right of way on and across Rock Island, to be fixed and designated by him, with such quantity of land, to be occupied and held by the company for railroad purposes, as may be necessary therefor; and that the said grant and change be made on such terms and conditions, previously arranged, between the Secretary of War and the railroad company; and that the Secretary of War be, and is hereby, authorized to do all other acts and things necessary to carry this act into execution.

APPROVED, June 27, 1866.
of War and the companies and parties in interest, as will best effect and secure the purposes of the government in occupying the island.

SEC. 2. And be it further enacted, That the Secretary of War be, and is hereby, authorized to grant to the companies and parties in interest such other aid, pecuniary or otherwise, toward effecting the change in the present location of their road and bridge and establishing thereon a wagon road for the use of the government of the United States to connect said island with the cities of Davenport and Rock Island, to be so constructed as not materially to interfere with, obstruct, or impair the navigation of the Mississippi river, as may be adjudged to be fair and equitable by the board of commissioners authorized under the act of April nineteenth, eighteen hundred and sixty-four, entitled “An act in addition to an act for the establishment of certain arsenals,” and may be approved by him.

SEC. 3. And be it further enacted, That the provisions of the act, approved April nineteenth, eighteen hundred and sixty-four, entitled “An act in addition to an act for the establishment of certain arsenals,” be so extended as to include the small islands contiguous to Rock Island, and known as Benham’s, Wilson’s, and Winnebago islands.

SEC. 4. And be it further enacted, That the following sums be, and are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for Rock Island arsenal, to be applied as follows, viz:

- To liquidate claims for property in Benham’s, Wilson’s, and Winnebago islands, and for property in Rock Island which has been taken, in pursuance of law, for military purposes, two hundred and ninety-three thousand six hundred dollars, or so much thereof, and no more, as may be necessary to pay the respective claimants such amounts as may be reported by the board of commissioners authorized by the act of April nineteenth, eighteen hundred and sixty-four, and ordered by the United States circuit court to be paid to each.
- To secure water-power at the head of Rock Island, one hundred thousand dollars.
- To erect storehouses for the preservation of arms and other munitions of war, and to establish communication between Rock Island arsenal and the cities of Davenport, Iowa, and Rock Island, Illinois, one hundred thousand dollars.

APPROVED, June 27, 1866.

June 27, 1866.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled “An act to authorize the sale of marine hospitals and revenue cutters,” approved April twentieth, eighteen hundred and sixty-six, shall not be construed to authorize the Secretary of the Treasury to lease or sell any such hospital where the relief furnished to sick marine[s] shall show an extent of relief equal to twenty cases per diem, on an average, for the last preceding four years, or where no other suitable and sufficient hospital accommodations can be procured upon reasonable terms for the comfort and convenience of the patients.

APPROVED, June 27, 1866.

June 27, 1866.

CHAP. CXLIII. — An Act in Amendment of an Act to promote the Progress of the Useful Arts, and the Acts in Amendment of and in Addition thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon appealing for the first time from the decision of the primary examiner to the examiners-in-chief in the patent office, the appellant shall pay a fee of ten dollars into the
patent office, to the credit of the patent fund; and no appeal from the primary examiner to the examiners-in-chief shall hereafter be allowed until the appellant shall pay said fee.

Approved, June 27, 1866.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public lands within the Territory of Idaho to which the Indian title is or shall be extinguished shall constitute a new land district, to be called the Idaho district, to be located at Boise City, Ada county; and the President is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and receiver of public moneys for said district, who shall be required to reside at the place at which said office shall be located, and they shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to land offices of the United States in other Territories.

Approved, June 27, 1866.

CHAP. CLV. — An Act amendatory of the organic Act of Washington Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the next annual session of the legislative assembly of said Territory the sessions shall be biennial. Members of the council shall be elected for the term of four years, and members of the house for the term of two years, and shall receive the sum of six dollars per day instead of three dollars heretofore allowed, and shall also receive the same mileage now allowed by law.

Sec. 2. And be it further enacted, That each house shall have authority to elect, in addition to the officers now allowed by law, an enrolling clerk, who shall receive five dollars per day. The chief clerks shall receive six dollars per day, and the other officers elected by said legislature shall receive five dollars per day each.

Sec. 3. And be it further enacted, That the first election, for the first biennial session under this act, shall be at the time of holding the general election for the Territory in the year eighteen hundred and sixty-seven.

Sec. 4. And be it further enacted, That the act of the legislative assembly of the Territory of Washington, approved January fourteenth, eighteen hundred and sixty-five, entitled "An act in relation to the county of Skamania," be and the same is hereby disapproved.

Approved, June 29, 1866.

CHAP. CLVI. — An Act to create the Office of Surveyor-General in Idaho Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President, by and with the advice and consent of the Senate, shall be, and he is hereby, authorized to appoint a surveyor-general for Idaho, whose annual salary shall be three thousand dollars, and whose power, authority, and duties shall be the same as those provided by law for the surveyor-general of Oregon. He shall have proper allowances for clerk hire, office rent, and fuel, not exceeding what is now allowed by law to the surveyor-general of Oregon, and he shall locate his office at Boise City, in said Territory of Idaho.

Approved, June 29, 1866.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 158. 1866.

CHAP. CLVIII. — An Act to extend the Time for the Reversion to the United States of the Lands granted by Congress to aid in the Construction of a Railroad from Amboy, by Hillsdale and Lansing, to some Point on or near Traverse Bay, in the State of Michigan, and for the Completion of said Road.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time limited by the Act of 1856, ... an act of June three, eighteen hundred and fifty-six, for the completion of the railroad from Amboy, by Hillsdale and Lansing, to some point on or near Traverse bay, shall be, and hereby is, revived and extended for the period of seven years, from and after the third day of June, one thousand eight hundred and sixty-six; and that said grants shall continue and remain in full force and effect for and during that period, as if it had been so provided in said fourth section of said act of June three, eighteen hundred and fifty-six; Provided, That the Amboy, Lansing, and Traverse Bay Railroad Company, a corporation organized under the laws of the State of Michigan, shall forfeit all right to said grant, or any part thereof which it may now have, or which may hereafter be conferred upon it, by the legislature of the State of Michigan, if and whenever the said company shall fail, in whole or in part fully and completely to perform any of the following conditions, that is to say: First, to clear, grub, and grade twenty consecutive miles of the road-bed of said road between Owasso and Saginaw City, so that the same shall be in readiness for the ties and iron by the first day of February, eighteen hundred and sixty-seven; Second, to fully complete said road from Owasso to Saginaw City, so that the same shall be in readiness for the running of trains by the first day of November, eighteen hundred and sixty-seven; Third, to fully complete in like manner twenty miles of said road in each and every year after the said first day of November, eighteen hundred and sixty-seven, and to fully complete the entire road by the time limited by this act: And provided further, That in case of failure of said Amboy, Lansing, and Traverse Bay Railroad Company to perform any of the above conditions by the respective times limited therefor, the legislature of the State of Michigan may at its first session after any such failure, confer the said grant upon some other railroad corporation, or corporations, upon such terms and conditions as the legislature may see fit to carry out the purposes of the said act of June three, eighteen hundred and fifty-six, and when so conferred, such corporation or corporations shall be entitled to have and enjoy all of the said grant, which shall not then have been lawfully disposed of, to the same extent and in the same manner and for the same purposes, as if the same had been originally conferred upon such corporation or corporations. And any such railroad corporation or corporations, whether now organized or hereafter to be organized, upon which said grant may be so conferred in whole or in part, may receive the same without prejudice to any land grant, or other rights or franchises previously acquired. But in no case shall such corporation or corporations be entitled to receive more than ten sections of land to the mile, for that portion of said road which may be consolidated in accordance with the provisions of this act: And, provided further, That if the legislature shall, in any such case of failure, so confer said grant as above provided, then the said lands, or so much thereof as shall then remain not lawfully disposed of, shall be subject to the disposal and future control of said legislature, as provided in section three of said act of June three, eighteen hundred and fifty-six, until the expiration of the time limited by this act. But in case the said legislature shall in such case fail to so confer said grant, then the said lands shall revert to the United States.

SEC. 2. And be it further enacted, That the Flint and Pere Marquette
Railroad Company may change the western terminus of its road to some point on Lake Michigan, at or south of Grand Traverse Bay; and any railroad corporations, having a right to the respective land grants specified in the said act of June three, eighteen hundred and fifty-six, located in the lower peninsula of the State of Michigan, may unite and contract with each other, or with any other railroad corporation or corporations, for the construction and operation of a single line of road for any portion of their routes, without prejudice to any land grants, or other rights or franchises previously acquired. And any and all such corporations are hereby authorized to change the location of their lines of road, so far as may be necessary, for the purpose of such consolidation, but not so as to change their respective termini otherwise than is authorized by this act. And whenever any change of terminus or location of line is made, as provided for in this act, the corporation or corporations making such change, shall file in the General Land Office new maps definitely showing such change and the new line of road adopted: Provided, That the road mentioned in the first section of this act shall run on the west side of Saginaw river, and that the principal depot shall be located in the northern portion of the plat of Saginaw City, so as best to accommodate the cities of Saginaw and East Saginaw.

SEC. 3 And be it further enacted, That the lands granted by the said act of June three, eighteen hundred and fifty-six, to aid in the construction of the railroad described in the first section of this act, shall be disposed of only in the following manner, that is to say: when the Governor of the State of Michigan shall certify to the Secretary of the Interior that ten or more consecutive miles of said road have been completed in a good and substantial manner, as a first-class railroad, stating definitely the commencement and termination of each completed portion of said road and the corporation or corporations so entitled to lands on account thereof, the Secretary of the Interior shall cause patents for lands for such completed portion of said road to be issued to said corporation or corporations: Provided, That none of said lands shall be acquired or so patented for any portion of said road so completed south of the intersection of said road with the Detroit and Milwaukee railway, until the whole of said road north of said intersection shall have been completed and the lands therefor patented as aforesaid; And provided further, That the road mentioned in the first section of this act shall be and remain a public highway for the use of the government of the United States, and shall transport, free from toll or other charges, all property, troops, and munitions of war belonging to the same.

SEC. 4. And be it further enacted, That all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

Approved, July 3, 1866.
been entitled to if they had connected their said line with the Union Pacific railroad on the one hundredth degree of longitude as now required by law: And provided further, That said company shall connect their line of railroad and telegraph with the Union Pacific railroad, but not at a point more than fifty miles westwardly from the meridian of Denver in Colorado.

SEC. 2. And be it further enacted, That the Union Pacific Railroad Company, with the consent and approval of the Secretary of the Interior, are hereby authorized to locate, construct, and continue their road from Omaha, in Nebraska Territory, westward, according to the best and most practicable route, and without reference to the initial point on the one hundredth meridian of west longitude, as now provided by law, in a continuous completed line, until they shall meet and connect with the Central Pacific Railroad Company of California; and the Central Pacific Railroad Company of California, with the consent and approval of the Secretary of the Interior, are hereby authorized to locate, construct, and continue their road eastward, in a continuous completed line, until they shall meet and connect with the Union Pacific Railroad: Provided, That each of the above-named companies shall have the right, when the nature of the work to be done, by reason of deep cuts and tunnels, shall for the expedient construction of the Pacific railroad require it, to work for an extent of not to exceed three hundred miles in advance of their continuous completed lines.

APPROVED, July 3, 1866.

July 3, 1866.

CHAP. CLX.-An Act granting certain Lands to the State of Michigan to aid in the Construction of a Ship Canal to connect the Waters of Lake Superior with the Lake known as Lac La Belle, in said State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Michigan, for the use and benefit of the “Lac La Belle Harbor Improvement Company,” a company organized under and by virtue of the laws of the State of Michigan, for the purpose of aiding in the construction of a ship canal to connect the waters of Lake Superior with the lake known as Lac La Belle, in said State, one hundred thousand acres of the public lands of the United States in the upper peninsula of Michigan, to be selected from the odd-numbered sections of land nearest the location of the said canal, not otherwise reserved or appropriated, nor designated by the United States as “mineral lands” prior to the passage of this act, nor to which the rights of pre-emption or homestead have attached: Provided, That the said canal shall be at least one hundred feet wide at the top, seventy-five feet wide at the bottom, and shall have, when completed, a depth of water through its entire length of at least twelve feet, running from sixteen feet of water in Lake Superior to fourteen feet of water in Lac La Belle: And provided further, That said canal shall be and remain a public highway for the use of the government of the United States, free from toll or charge upon the vessels of said government, or upon vessels employed by said government in the transportation of any property or troops of the United States.

SEC. 2. And be it further enacted, That the lands hereby granted shall be subject to the disposal of the legislature of the State of Michigan for the purposes aforesaid and no other; that as soon as the governor of the said State shall file, or cause to be filed, with the Secretary of the Interior, a map or plan showing the location of the said canal, then it shall be the duty of the Secretary of the Interior to withdraw from market the lands applicable and subject to the provisions of this act; and whenever the governor of the State of Michigan shall certify to the Secretary of the Interior that the said ship canal has been completed, in a good, sub-
substantial, and workmanlike manner, in all respects in conformity with the provisions of this act, and to his satisfaction, then it shall be the duty of the Secretary of the Interior to issue patents to the said State of Michigan for the lands hereby granted.

SEC. 3. And be it further enacted, That if the said ship canal shall not be completed within two years from and after the passage of this act, the lands hereby granted shall revert to the United States.

APPROVED, July 3, 1866.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is granted to the State of Michigan, to aid in the building of a harbor and ship canal at Portage Lake, Keewenaw Point, Lake Superior, in addition to a former grant for that purpose, approved March the third, eighteen hundred and sixty-five, two hundred thousand acres of land in the upper peninsula of the State of Michigan, and from land to which the right of homestead or pre-emption has not attached: Provided, That one hundred and fifty thousand acres of said lands shall be selected from alternate odd-numbered sections, and fifty thousand acres from even-numbered sections of the lands of the United States. Said grant of lands shall inure to the use and benefit of the Portage Lake and Lake Superior Ship Canal Company, in accordance with an act of the legislature of the State of Michigan, conferring the land granted to the said State, by the act herein referred to, on said company: And provided further, That the time allowed for the completion of said work and the right of reversion to the United States, under the said act of Congress, approved March the third, eighteen hundred and sixty-five, be extended three additional years: And provided further, That no lands designated by the United States as "mineral" before the passage of this act shall be included within this grant.

APPROVED, July 3, 1866.

CHAP. CLXII.—An Act to regulate the Transportation of Nitro-Glycerine, or Glynoin Oil, and other Substances therein named.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter it shall not be lawful to transport, carry or convey, ship, deliver on board, or cause to be delivered on board, the substance or article known or designated as nitroglycerine, or glynoin oil, nitroleum or blasting oil, or nitrated oil, or powder mixed with any such oil, or fibre saturated with any such [article] or substance upon or in any ship, steamship, steamboat, vessel, car, wagon, or other vehicle, used or employed in transporting passengers by land or water between a place or places in any foreign country and a place or places within the limits of any State, territory, or district of the United States, or between a place in one State, territory, or district of the United States, and a place in any other State, territory, or district thereof; and any person, company, or corporation who shall knowingly violate the provisions of this section, shall be liable to a fine of not less than one thousand nor more than ten thousand dollars, at the discretion of the court, one half to the use of the informer.

SEC. 2. And be it further enacted, That in case the death of any person shall be caused, directly or indirectly, by an explosion of any quantity of said substances or articles, or either of them, while the same is being placed upon or in any such ship, steamship, steamboat, vessel, car, wagon or other vehicle, to be transported, carried, or conveyed thereon or therein in violation of the foregoing section, or while the same is being so trans-
concerned there- in to be guilty of manslaughter

Punishment.

Those substan- ces not to be car- ried, unless en- closed, &c.

Package, how to be marked.

Penalty. One half of fine to the informer.

District court to have jurisdic- tion of offences under this act.

Rights of States, &c., to regulate or pro- hibit traffic or transportation thereof not af- fected.

July 3, 1866.

CHAP. CLXIII.—An Act for the Relief of the Members of the Thirty-seventh Regiment of Iowa Volunteer Infantry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid to the members of the thirty-seventh regiment of Iowa volunteer infantry the same bounty provided by law, or which may hereafter be provided by law to soldiers enlisted into the volunteer forces of the United States during the year eighteen hundred and sixty-two; and in case any of the members of said regiment are dead or may die before the payment of said bounty, the same shall be paid to their representatives in the same order provided by law for the payment of bounty in other cases.

APPROVED, July 3, 1866.

July 3, 1866.

CHAP. CLXIV.—An Act to create an additional Land District in the State of Oregon.

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 he is hereby, authorized to establish an additional land district in the State of Oregon, and to fix from time to time the boundaries thereof, which district shall be named after the place at which the office
shall first be established; and the President shall be authorized hereafter, from time to time, as circumstances may require, to adjust the boundaries of any and all of the land districts in said State, and change the location of the land office from time to time when the same shall be expedient.

SEC. 2. And be it further enacted, That the President is hereby authorized to appoint, by and with the advice and consent of the Senate, or during the recess thereof, and until the end of the next ensuing session, a register and receiver for said land district, who shall be required to reside at the site of the office, shall be subject to the same laws and responsibilities, and whose compensation and fees shall be respectively the same per annum, as are now allowed by law to other land officers in said State.

APPROVED, July 3, 1866.

CHAP. CLXV.—An Act making a Grant of Lands in alternate Sections to aid in the Construction and Extension of the Iron Mountain Railroad, from Pilot Knob, in the State of Missouri, to Helena, in Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Missouri, for the purpose of aiding in the construction and extension of the Iron Mountain railroad, from its present terminus at Pilot Knob to a point on the southern boundary line of the State of Missouri, every alternate section of land, designated by odd numbers, for ten sections in width on each side of said road; but in case it shall appear when the route of said road is definitely fixed that the United States have sold any sections or parts thereof, granted as aforesaid, or that the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the Governor of said State to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified so much land in sections or parts of sections, to be selected as aforesaid, as shall be equal to such lands as the United States have sold or otherwise appropriated or to which the rights of pre-emption have attached, which lands thus selected shall be held by the State of Missouri for the use and purposes aforesaid, and for none other: Provided, That the lands so located shall be within the Ironton land district as now established and not more than twenty miles from the line of said road; And provided, further, That all mineral lands except those containing coal and iron, and any lands herebefore reserved to the United States by any act of Congress or in any other manner by competent authority for the purpose of aiding in any object of internal improvement, or for any other purpose whatever, be, and the same are, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railroad through the same, in which case the right of way only shall be granted, subject to the approval of the President of the United States.

SEC. 2. And be it further enacted, That there be, and is hereby, granted to the State of Arkansas, for the purpose of aiding in the construction and extension of a railroad, from the point where the Iron Mountain railroad intersects the southern boundary line of Missouri, by the nearest and most practicable route, to a point at or near the town of Helena, on the Mississippi river, every alternate section of land, designated by odd numbers, for ten sections in width on each side of said road; but in case it shall appear, when the line of said road is definitely fixed, that the United States have sold any sections or parts thereof, granted as aforesaid, or that the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the Gov-
Lands may be selected in lieu of those before granted, &c.; to be within twenty miles of railroad. Mineral lands, except coal and iron, reserved.

Right of way.

Sections of land remaining to the United States not to be sold for less than double minimum price, to be first offered at public sale, bona fide settlers under pre-emption laws.

Settlers under homestead law.

These railroads to be public highways, and to be built in five years.

Lands hereby granted, how to be disposed of.

When the governor shall certify that a section of ten consecutive miles is completed, &c., that another section of ten consecutive miles, &c.

error of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified so much land, in alternate sections, designated as aforesaid, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the rights of pre-emption have attached, which lands thus selected shall be held by the State of Arkansas for the use and purposes aforesaid, and for none other: Provided, That the land so selected and located shall in no case be further than twenty miles from the line of road when the same shall be located; And provided further, That all mineral lands, except those containing coal and iron, and any lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatever, be, and the same are, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railway through the same, in which case the right of way only shall be granted, subject to the approval of the President of the United States.

Sec. 4. And be it further enacted, That the said railroads shall be, and remain, public highways, so far as the same may be constructed under this act, for the use of the government of the United States, free of all toll or other charges upon the transportation of any property or troops of the United States, and at the costs in all respects of said railroad companies; and the said roads are hereby required to be constructed within the term of five years from and after the first day of July, anno Domini eighteen hundred and sixty-six.

Sec. 5. And be it further enacted, That the lands hereby granted to said States of Missouri and Arkansas shall be disposed of by said States for the purposes aforesaid only, and in manner following, namely: Whenever the governor of either of said States shall certify to the Secretary of the Interior that any section of ten consecutive miles of either of said roads is completed in a good, substantial, and workmanlike manner, as a first-class railroad, and the said Secretary shall be satisfied that said State has complied in good faith with this requirement, the said Secretary of the Interior shall issue to the said State patents for all the lands granted and selected as aforesaid, not exceeding ten sections per mile, situated opposite to and within a limit of twenty miles of the line of said section of road thus completed, extending along the whole length of said completed section of ten miles of road, and no further. And when the governor of said State shall certify to the Secretary of the Interior, and the Secretary shall be satisfied that another section of said road, ten consecutive miles in extent, connecting with the preceding section or with some other first-class railroad which may be at the time in successful operation, is completed as aforesaid, the said Secretary of the Interior shall issue to the
said State patents for all the lands granted and situated opposite to and within the limits of twenty miles of the line of said completed section of road or roads, and extending the length of said section, and no further and not exceeding ten sections of land per mile for all that part of said road thus completed under the provisions of this act and the act to which this is an amendment, and so, from time to time, until said roads and branches are completed. And when the governor of said State shall so certify, and the Secretary of the Interior shall be satisfied that the whole of any one of said roads and branches is completed in a good, substantial, and workmanlike manner, as a first-class railroad, the said Secretary of the Interior shall issue to the said State patents to all the remaining lands granted for and on account of said completed road and branches in this act, situated within the said limits of twenty miles from the line thereof, throughout the entire length of said road and branches: Provided, That no land shall be granted or conveyed to said States under the provisions of this act on account of the construction of any railroad or part thereof that has been constructed under the provisions of any other act at the date of the passage of this act, and adopted as a part of the line of railroad provided for in this act: And provided, That nothing herein contained shall interfere with any existing rights acquired under any law of Congress heretofore enacted making grants of land to the said States of Missouri and Arkansas to aid in the construction of railroads: And provided further, That should said States or either of them fail to complete the roads herein recited within the time prescribed by this act, then the lands undisposed of, as aforesaid, within the States so failing shall revert to the United States.

SEC. 6. And be it further enacted, That so soon as the governor of either of said States shall file or cause to be filed with the Secretary of the Interior maps designating the routes of said roads herein mentioned, then it shall be the duty of the Secretary of the Interior to withdraw from market the lands embraced within the provisions of this act.

SEC. 7. And be it further enacted, That nothing contained in this act shall be held as vesting in the State of Arkansas title to the lands herein recited for the trust purpose aforesaid, or authorizing said State to make any disposition of the same, until said State shall be restored in all respects to its former relation to the national government and be represented in the Congress of the United States.

APPROVED, July 4, 1866.

CHAP. CLXVI. — An Act concerning certain Lands granted to the State of Nevada. July 4, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation by the constitution of the State of Nevada to educational purposes of the five hundred thousand acres of land granted to said State by the law of September fourth, eighteen hundred and forty-one, for purposes of internal improvement, is hereby approved and confirmed.

SEC. 2. And be it further enacted, That land equal in amount to seventy-two entire sections, for the establishment and maintenance of a university in said State, is hereby granted to the State of Nevada.

SEC. 3. And be it further enacted, That the grant made by law of the second day of July, eighteen hundred and sixty-two, to each State, of land equal to thirty thousand acres for each of its senators and representatives in Congress, is extended to the State of Nevada; and the diversion of the proceeds of these lands in Nevada from the teaching of agriculture and mechanic arts to that of the theory and practice of mining is allowed and authorized without causing a forfeiture of said grant.

SEC. 4. And be it further enacted, That the President of the United States, by and with the advice and consent of the Senate, shall be, and he

is hereby, authorized to appoint a surveyor-general for Nevada, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, whose compensation shall be three thousand dollars per annum, and whose duties, powers, obligations, responsibilities, and allowances for clerk hire, office rent, fuel and incidental expenses shall be the same as those of the surveyor-general of Oregon, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him.

Sec. 5. And be it further enacted, That in extending the surveys of the public lands in the State of Nevada, the Secretary of the Interior may, in his discretion, vary the lines of the subdivisions from a rectangular form, to suit the circumstances of the country; but in all cases lands valuable for mines of gold, silver, quicksilver, or copper shall be reserved from sale.

Sec. 6. And be it further enacted, That until the State of Nevada shall have received her full quota of lands named in the first, second, and third sections of this act, the public lands in that State shall not be subject to entry, sale, or location under any law of the United States, or any scrip or warrants issued in pursuance of any such law except the homestead act of May twentieth, eighteen hundred and sixty-two, and acts amendatory thereto, and the acts granting and regulating pre-emptions, but shall be reserved exclusively for entry by the said State for the period of two years after such survey shall have been made: Provided, That said State shall select said lands in her own name and right, in tracts of not less than forty acres, and dispose of the same in tracts not exceeding three hundred and twenty acres, only to actual settlers and bona fide occupants: And provided further, That city and town property shall not be subject to selection under this act: And provided further, That this section shall not be construed to interfere with or impair rights heretofore acquired under any law of Congress.

Approved, July 4, 1866.

July 4, 1866. CHAP. CLXVII.—An Act granting Lands to the State of Oregon, to aid in the Construction of a Military Road from Corvallis to the Acquinn Bay.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be, and is hereby granted to the State of Oregon, to aid in the construction of a military wagon road from the town of Corvallis to the Acquinn Bay, three alternate sections per mile from the unoccupied public lands, designated by odd numbers, and not more than six miles from said road; Provided, That the lands hereby granted shall be exclusively applied in the construction of said road, and shall be disposed of only as the work progresses; and the same shall be applied to no other purposes whatever: And provided further, That any and all lands heretofore reserved not to the United States by act of Congress, or other competent authority, be, and the same are, reserved from the operation of this act, except so far as it may be necessary to locate the route of said road through the same, in which case the right of way is granted.

Sec. 2. And be it further enacted, That the said lands hereby granted to said State shall be disposed of by the legislature thereof, for the purpose aforesaid, and for no other; and the said road shall be made and remain a public highway for the use of the government of the United States, free from tolls or other charges upon the transportation of any property, troops, or mails of the United States.

Sec. 3. And be it further enacted, That said road shall be constructed with such graduation and bridges as to permit of its regular use as a wagon road, and in such other special manner as the State of Oregon may prescribe.
SEC. 4. And be it further enacted, That the lands hereby granted to said State shall be disposed of only in the following manner, that is to say: when the governor of said State shall certify to the Secretary of the Interior that any ten continuous miles of said road are completed, then a quantity of land hereby granted coterminous to said completed portion of said road, not to exceed thirty sections may be sold, and so from time to time until said road is completed; and if said road is not completed within five years, no further sales shall be made, and the land remaining unsold shall revert to the United States.

APPROVED, July 4, 1866.

CHAP. CLXVIII.—An Act making an additional Grant of Lands to the State of Minnesota, in alternate Sections, to aid in the Construction of Railroads in said State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Minnesota, for the purpose of aiding in the construction of a railroad from Houston, in the county of Houston, through the counties of Fillmore, Mower, Freeborn, and Faribault, to the western boundary of the State; and also for a railroad from Hastings, through the counties of Dakota, Scott, Carver, and McLeod, to such point on the western boundary of the State as the legislature of the State may determine, every alternate section of land designated by odd numbers to the amount of five alternate sections per mile on each side of said road; but in case it shall appear that the United States have, when the lines or route of said roads are definitely located, sold any section, or part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected, from the public lands of the United States nearest to the tiers of sections above specified, so much land in alternate sections or parts of sections, designated by odd numbers, as shall be equal to such lands as the United States have sold, reserved, or otherwise appropriated, or to which the right of homestead settlement or pre-emption has attached as aforesaid, which lands, thus indicated by odd numbers and sections, by the direction of the Secretary of the Interior, shall be held by said State of Minnesota for the purposes and uses aforesaid: Provided, That the land so selected shall in no case be located more than twenty miles from the lines of said road: And provided further, That no land shall be granted or transferred by the provisions of this act not included within the jurisdiction of the State of Minnesota: And provided further, That any and all lands herefore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or other purpose whatever, be, and the same are hereby, reserved and excepted from the operations of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands, in which case the right of way shall be granted, provided the United States has yet in possession the title thereto.

SEC. 2. And be it further enacted, That the sections and parts of sections of land which by such grant shall remain to the United States within ten miles on each side of said road shall not be sold for less than double the minimum price of public lands when sold, nor shall any of said lands become subject to sale at private entry until the same shall have been first offered at public sale to the highest bidder at or above the minimum price as aforesaid: Provided, That actual bona fide settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation as now provided by law, purchase the same at the increased minimum price: And provided also, That settlers under the pro-

Lands, how to be disposed of.

Road to be completed in five years; if not, unsold lands to revert.

Approved, July 4, 1866.

CHAP. CLXVIII.—An Act making an additional Grant of Lands to the State of Minnesota, in alternate Sections, to aid in the Construction of Railroads in said State.

Additional grants of lands to Minnesota for railroads

Description of railroads

If lands have been disposed of, &c., other lands to be selected in lieu thereof.

but within twenty miles of lines of road, and the jurisdiction of Minnesota.

Reserved lands not granted.

Right of way

Price of lands remaining to the United States

Lands to be first offered at public sale

Pre-emption settlers.

Homestead settlers.
visions of the homestead law who shall make entries after the passage of
this act, upon the sections numbered by even numbers, and who comply
with the terms and requirements of said act shall be entitled to patents
for an amount not exceeding eighty acres each, anything in this act to the
contrary notwithstanding.

SEC. 3. And be it further enacted, That the lands hereby granted shall
be subject to the disposal of the legislature of Minnesota for the purposes
aforesaid and no other; and the said railroad shall be and remain public
highways for the use of the government of the United States, free of all
toll or other charges upon the transportation of any property or troops of
the United States, and the same shall at all times be transported at the
cost, charge, and expense in all respects of the company or corporation,
or their successors or assigns, having or receiving the benefit of the land
grants herein made.

SEC. 4. And be it further enacted, That the lands hereby granted shall
be disposed of by said State for the purposes aforesaid only, and in man-
ner following, namely: When the governor of said State shall certify to
the Secretary of the Interior that any section of ten consecutive miles of
said road is completed, in a good, substantial, and workmanlike manner,
as a first-class railroad, then the Secretary of the Interior shall issue to the
State patents for all the lands in alternate sections, or parts of sections,
designated by odd numbers, situated within twenty miles of the road so com-
pleted and lying coterminous to said completed section of ten miles, and not
exceeding one hundred sections, for the benefit of the road having completed
the ten consecutive miles as aforesaid: Provided, however, That the cotermi-
nous principle hereby applied shall not extend to such lands as are taken by
the said railroad companies to make up deficiencies, provided that no land to
make up such deficiencies shall be taken at any point within ten miles up-
on each side of the line of said roads. When the governor of said State
shall certify that another section of ten consecutive miles shall have been
completed as aforesaid, then the Secretary of the Interior shall issue pa-
tents to said State in like manner for a like number; and when certificates
of the completion of additional sections of ten consecutive miles of said
roads are from time to time made as aforesaid, additional sections of lands
shall be patented as aforesaid, until said roads are completed, when the whole
of the lands hereby granted shall be patented to the State for the uses aforesaid, and none other: Provided, That if said roads are not com-
pleted within ten years from the acceptance of this grant, the said lands
hereby granted and not patented shall revert to the United States

SEC. 5. And be it further enacted, That as soon as the governor of said
State shall file or cause to be filed with the Secretary of the Interior
maps designating the routes of said roads, then it shall be the duty of the
Secretary of the Interior to withdraw from market the lands embraced
within the provisions of this act.

SEC. 6. And be it further enacted, That the United States mail shall
be transported on said road, under the direction of the Post Office De-
partment, at such price as Congress may by law provide: Provided,
That until such price is fixed by law, the Postmaster-General shall have
power to fix the rate of compensation.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXIX — An Act to provide for the Disposal of certain Lands therein named.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the Commissioner of the
General Land Office be, and he is hereby, authorized to cause to be offered
at public auction all the unsold lots of that portion of the public domain
known as the Fort Howard Military Reserve, which is situated in the
county of Brown, and State of Wisconsin giving not less than two
months' notice of the time and place of such sale, by advertising the same
in such newspapers and for such period of time as he may deem best.
Every such lot shall be sold separately to the highest bidder for cash, and
when not paid for within twenty-four hours from the time of purchase, it
shall be liable to be resold under the order of the Commissioner of the
General Land Office aforesaid, at such reasonable minimum as may be
fixed by the Secretary of the Interior, and no sale shall be binding until
approved by that officer.

SEC. 2. And be it further enacted, That it shall be the duty of the Pres-
ident to cause patents to be issued in due form of law for each and every
such lot, as soon as may be after the purchase of and payment for the
same.

APPROVED, July 4, 1866.

CHAP. CLXXIV. — An Act granting Lands to the State of Oregon, to aid in the Con-
struction of a Military Road from Albany, Oregon, to the Eastern Boundary of said State.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That there be, and hereby is,
granted to the State of Oregon, to aid in the construction of a military wagon
road from Albany, Oregon, by way of Canyon City, and the most feasible
pass in Cascade range of mountains, to the eastern boundary of the State
alternate sections of public lands, designated by odd numbers, three sec-
tions per mile, to be selected within six miles of said road: Provided,
That the lands hereby granted shall be exclusively applied in the con-
struction of said road, and shall be disposed of only as the work progresses;
and the same shall be applied to no other purpose whatever: And provid-
ed, further, That any and all lands heretofore reserved to the United
States by act of Congress or other competent authority be, and the same
are, reserved from the operation of this act, except so far as it may be
necessary to locate the route of said road through the same, in which case
the right of way is granted, subject to the approval of the President of
the United States.

SEC. 2. And be it further enacted, That the said lands hereby granted
to said State shall be disposed of by the legislature thereof for the pur-
pose aforesaid, and for no other; and the said road shall be and remain a
public highway for the use of the government of the United States, free
from tolls or other charge upon the transportation of any property, troops,
or mails of the United States.

SEC. 3. And be it further enacted, That said road shall be constructed
with such width, graduation, and bridges, as to permit of its regular use
as a wagon road, and in such other special manner as the State of Oregon
may prescribe.

SEC. 4. And be it further enacted, That the lands hereby granted to
said State shall be disposed of only in the following manner, that is to say:
that when ten miles of said road shall be completed, a quantity of land not
exceeding thirty sections for said road may be sold coterminous to said
completed portion of said road; and when the governor of said State
shall certify to the Secretary of the Interior that any ten continuous miles
of said road are completed, then another quantity of land hereby granted,
not to exceed thirty sections, may be sold, coterminous to said completed
portion of said road, and so from time to time until said road is completed;
and if said road is not completed within five years, no further sales shall
be made, and the land remaining unsold shall revert to the United
States.

APPROVED, July 5, 1866.
CHAP. CLXXV. — An Act to provide for the Payment of the sixth, eighth, and eleventh Regiments of Ohio Volunteer Militia of Cincinnati, Bard's Company of Cavalry, and Paulsen's Battery, during the Time they were in the Service of the United States, in 1862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers and men of the sixth, eighth, and eleventh regiments of Ohio volunteer militia, and of Captain S. W. Bard's company of cavalry, and of Captain August Paulsen's battery, of Cincinnati, ordered into the service of the United States, at Cincinnati, Ohio, on the second day of September, eighteen hundred and sixty-two, notwithstanding any irregularity in their muster into the service of the United States, be paid for the time the officers and men were actually in the service, respectively, not however to exceed the period of thirty-one days.

APPROVED, July 5, 1866.

CHAP. CLXXVI. — An Act making Appropriations for the Support of the Army for the Year ending thirtieth of June, eighteen hundred and sixty-seven, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-seven:

For expenses of recruiting, transportation of recruits, and compensation to citizen surgeons for medical attendance, three hundred thousand dollars.

For pay of the army, ten millions seven hundred and twelve thousand and fifty-two dollars.

For commutation of officers' subsistence, one million six hundred and five thousand two hundred dollars.

For payments in lieu of clothing for officers' servants, one hundred and ninety-one thousand seven hundred and sixty-six dollars.

For payments to discharged soldiers for clothing not drawn, one hundred and fifty thousand dollars.

For subsistence in kind for regulars and volunteers, five million three hundred and one thousand six hundred and twenty-five dollars.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices; forage in kind for the horses, mules, and oxen for the quartermaster's department at the several posts and stations and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the quartermaster's department certificates for discharged soldiers blank forms for the pay and quartermaster's departments; and for the printing of division and department orders and reports, four millions one hundred and thirty-four thousand four hundred and ninety-nine dollars and thirty-three cents.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packages received and sent by officers of the army on public service; expenses of courts-martial, military commissions, and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses, while on that service; under the act of March sixteenth, eighteen hundred and two, extra pay to soldiers employed under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals; in the con-
struction of roads, and on other constant labor, for periods of not less than
ten days, under the acts of March second, eighteen hundred and nineteen,
and August fourth, eighteen hundred and fifty-four, including those em-

ployed as clerks at division and department headquarters; expenses of
expresses to and from the frontier posts and armies in the field; of escorts
to paymasters and other disbursing officers and to trains where military
escorts cannot be furnished; expenses of the interment of officers killed
in action or who die when on duty in the field, or at posts on the frontiers,
or at other posts and places when ordered by the Secretary of War, and

of non-commissioned officers and soldiers; authorized office furniture;
hire of laborers in the quartermaster's department, including the hire of
interpreters, spies, and guides for the army; compensation of clerks to
officers of the quartermaster's department; compensation of forage and
wagon masters, authorized by the act of July fifth, eighteen hundred and
thirty-eight; for the apprehension of deserters, and the expenses incident
to their pursuit; and for the following expenditures required for the
several regiments of cavalry, the batteries of light artillery, and such com-
panies of infantry as may be mounted, viz: the purchase of travelling
forges, blacksmiths' and shoeing tools, horses' and mule shoes and nails,
iron and steel for shoeing, hire of veterinary surgeons, medicines for horses
and mules, picket ropes, and for shoeing the horses of the corps named;
also, generally, the proper and authorized expenses for the movements
and operations of an army not expressly assigned to any other depart-
ment, one million dollars.

For the purchase of cavalry and artillery horses, seven hundred and
thirteen thousand one hundred dollars.

For transportation of officers' baggage, fifty thousand dollars.

For transportation of the army, including the baggage of the troops
when moving, either by land or water; of clothing, camp, and garrison
equipage, from the depots at Philadelphia, Cincinnati, and New York to
the several posts and army depots, and from those depots to the troops in
the field; and of subsistence stores from the places of purchase, and from
the places of delivery under contract, to such places as the circumstances
of the service may require them to be sent; of ordinance, ordnance stores,
and small arms, from foundries and armories to the arsenals, fortifications,
frontier-posts, and army depots; freights, wharfage, tolls, and ferriages;
for the purchase and hire of horses, mules, oxen, and harness, and the
purchase and repair of wagons, carts, and drays, and of ships and other
sea-going vessels and boats required for the transportation of supplies and
for garrison purposes; for drayage and cartage at the several posts;
hire of teamsters; transportation of funds for the pay and other disburs-
ing departments; the expense of sailing public transports on the various
rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for proc-
curing water at such posts as, from their situation, require it to be brought
from a distance; and for clearing roads, and removing obstructions from
roads, harbors, and rivers, to the extent which may be required for the
actual operations of the troops in the field, five million dollars.

For hire of commutation quarters for officers on military duty; hire
of quarters for troops; of storehouses for the safe keeping of military
stores; of grounds for summer cantonments; for the construction of tem-
porary huts, hospitals, and stables, and for repairing public buildings at
established posts, six hundred and twenty-four thousand and thirty-eight
dollars.

For contingencies of the army, one hundred thousand dollars.

For the medical and hospital department, five hundred thousand dollars.

For repairs, improvements, and new machinery at the national armory,
one hundred thousand dollars.

For repairs and improvements at arsenals, including new, and additions
to present, buildings, and machinery, tools, and fixtures, fifty thousand
dollars.
Magazine for storing gunpowder.

Enlarging Watervliet arsenal.

Fire-proof buildings at Schuylkill arsenal.

Appropriation for bureau of refugees, freedmen, and abandoned lands.

Salaries of commissioners and assistants, clerks, stationery and printing, quarters and fuel, clothing for distribution, commissary stores, medical department, transportation.

School superintendents.

School-houses.

Telegraphing.

Advertisements for bids for contracts in quartermaster's department, to state, &c.

Preference to articles of American production, Pacific Coast.

Advertisements in San Francisco and Portland.

Repeal of 1862.

Vol. xii p 617. Officers in military or naval service, in time of peace, not to be dismissed, except, &c.

Supervision and officers of military academy may be selected and detailed from any arm of the service.

For purchase of site and erection of magazine for storing gunpowder, two hundred thousand dollars.

For the purchase of land for enlarging the Watervliet arsenal, thirty thousand dollars.

Sec. 2. And be it further enacted, That the sum of one hundred and forty-six thousand dollars be, and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to be disbursed by the Secretary of War in the erection of fire proof buildings at or near Schuylkill arsenal in the State of Pennsylvania, to be used as storehouses for government property at that post.

Sec. 3. And be it further enacted, That the following sums be and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the support of the Bureau of Refugees, Freedmen and Abandoned Lands for the fiscal year commencing July first, eighteen hundred and sixty-six, namely:

The salaries of assistant and sub-assistant commissioners, one hundred and forty-seven thousand five hundred dollars.

For salaries of clerks eighty-two thousand eight hundred dollars.

For stationery and printing, sixty-three thousand dollars.

For quarters and fuel, fifteen thousand nine hundred dollars.

For clothing for distribution, one million one hundred and seventy thousand dollars.

For commissary stores, three million one hundred and six thousand two hundred and fifty dollars.

For medical department, five hundred thousand dollars.

For transportation, one million three hundred and twenty thousand dollars.

For school superintendents, twenty-one thousand dollars.

For repairs and rent of school-houses and asylums, five hundred thousand dollars.

For telegraphing, eighteen thousand dollars.

Sec. 4. And be it further enacted, That the Quartermaster's department shall in all cases in obtaining supplies for the military service, state in advertisements for bids for contracts, that a preference shall be given to articles of domestic production and manufacture, conditions of price and quality being equal, and that such preference shall be given to articles of American production and manufacture, produced on the Pacific coast, to the extent of the consumption required by the public service there; and in advertising for army supplies the Quartermaster's department shall require all articles which are to be used in the States and Territories of the Pacific coast to be delivered and inspected at points designated in those States and Territories; and the advertisements for such supplies shall be published in newspapers of the cities of San Francisco, in California, and Portland, in Oregon.

Sec. 5. And be it further enacted, That section seventeen of an act entitled "An act to define the pay and emoluments of certain officers of the army," approved July seventeenth, eighteen hundred and sixty-two, and a resolution entitled "A resolution to authorize the President to assign the command of troops in the same field or department, to officers of the same grade without regard to seniority," approved, April fourth, eighteen hundred and sixty-two, be and the same are hereby repealed. And no officer in the military or naval service shall in time of peace, be dismissed from service except upon and in pursuance of the sentence of a court-martial to that effect, or in commutation thereof.

Sec. 6. And be it further enacted, That the superintendent of the United States Military Academy may hereafter be selected, and the officers on duty at that institution detailed from any arm of the service; and the supervision and charge of the Academy shall be in the War Department under such officer or officers, as the Secretary of War may assign to that duty.
SEC. 7. And be it further enacted, That when it is necessary to employ soldiers as artificers or laborers in the construction of permanent military works, public roads, or other constant labor of not less than ten days' duration in any case, they shall receive in addition to their regular pay, the following additional compensation therefor: enlisted men, working as artificers, and non-commissioned officers employed as overseers of such work, not exceeding one overseer for every twenty men, thirty-five cents per day, and enlisted men employed as laborers twenty cents per day; but such working parties shall only be authorized on the written order of a commanding officer. This allowance of extra pay is not to apply to the troops of the engineer and ordnance departments.

SEC. 8. And be it further enacted, That the allowance now made by law to officers travelling under orders where transportation is not furnished in kind shall be increased to ten cents per mile.

APPROVED, July 13, 1866.

CHAP. CLXXVII. — An Act relating to Pilots and Pilot Regulations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no regulations or provisions shall be adopted by any State of the United States of America which shall make any discrimination in the rate of pilotage or half-pilotage between vessels sailing between the ports of one State and vessels sailing between the ports of different States, or any discrimination against vessels propelled in whole or in part by steam, or against national vessels of the United States, and all existing regulations or provisions making any such discrimination, as herein mentioned, are hereby annulled and abrogated.

APPROVED, July 13, 1866.

CHAP. CLXXVIII. — An Act to Amend "An Act making a Grant of Lands to the State of Minnesota to aid in the Construction of the Railroad from St. Paul to Lake Superior," approved May fifth, eighteen hundred and sixty-four.

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 entitled "An act making a grant of lands to the State of Minnesota to aid in the construction of the railroad from Saint Paul to Lake Superior," approved May fifth, eighteen hundred and sixty-four, be amended by adding thereto the following: Provided further, That in case it shall appear, when the line of the Lake Superior and Mississippi railroad is definitely located, that the quantity of land intended to be granted by the said act in aid of the construction of the said road shall be deficient by reason of the line thereof running near the boundary line of the said State of Minnesota, the said company shall be entitled to take from other public lands of the United States within thirty miles of the west line of said road such an amount of lands as shall make up such deficiency: Provided, That the same shall be taken in alternate odd sections as provided for in said act.

APPROVED, July 13, 1866.

CHAP. CLXXIX. — An Act to extend to certain Persons the Privilege of Admission, in certain Cases, to the United States Government Asylum for the Insane.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That civilians employed in the service of the United States, in the quartermaster's department and the subsistence department of the army, who may be, or may hereafter become, insane while in such employment, shall be admitted on the recommendation of the Secretary of War, the same as persons belonging to the army and
nearly, to the benefits of the asylum for the insane in the District of Columbia, as now provided by law in reference to soldiers and sailors in the army and navy.

SEC. 2. And be it further enacted, That the following classes of persons, under the following circumstances, may be admitted to the asylum for the insane in the District of Columbia, as now provided by law in reference to soldiers and sailors in the army and navy.

First. Men who, while in the service of the United States, in the army or navy, have been admitted to said asylum, and have been thereafter discharged therefrom on the supposition that they had recovered their reason, and have, within three years after such discharge, become again insane from causes existing at the time of such discharge, and have no adequate means of support.

Second. Indigent insane persons, who have been in the same service and been discharged therefrom on account of disability arising from such insanity.

Third. Indigent insane persons, who have become insane within three years after discharge from such service from causes which arose during and were produced by said service.

APPROVED, July 13, 1866.

July 13, 1866. CHAP. CLXXX. — An Act to provide for making the Town of Whitehall, New York, a Port of Delivery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the town of Whitehall, in the State of New York, which by existing law is a port through which imported merchandise may be exported in bond and for drawback to the adjacent British North American provinces, be, and the same is hereby, constituted a port of delivery within the collection district of Champlain, and that a deputy collector, as now authorized by law, shall there reside, who shall receive the same compensation as is now paid to the deputy collector now stationed at that port.

APPROVED, July 13, 1866.

July 13, 1866. CHAP. CLXXXI. — An Act to extend the Benefits of Section four of an Act making Appropriations for the Support of the Army for the year ending June thirtieth, eighteen hundred and sixty-six, approved March third, eighteen hundred and sixty-five.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of an act entitled "An act making appropriations for the support of the army for the year ending June thirtieth, eighteen hundred and sixty-six," be so construed as to entitle to the three months' pay proper, provided for therein, all officers of volunteers below the rank of brigadier-general who were in service on the third day of March, eighteen hundred and sixty-five, and whose resignations were presented and accepted, or who were mustered out at their own request, or otherwise honorably discharged from the service after the ninth day of April, eighteen hundred and sixty-five.

APPROVED, July 13, 1866.

July 13, 1866. CHAP. CLXXXII. — An Act granting Aid in the Construction of a Railroad and Telegraph Line from the Town of Folsom to the Town of Placerville, in the State of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way through the public lands be, and the same is hereby, granted to the Placerville and Sacramento Valley Railroad Company, a corporation existing under the laws of the State of California, and designated by the legislature thereof, to construct the road hereinafter named, and to its successors and

assigns, for the construction of a railroad and telegraph line from the
town of Folsom to the town of Placerville, in said State; and the right
is hereby given to said corporation to take from the public lands adjacent
to the line of said road, material for the construction thereof; said right
of way is granted to said railroad to the extent of one hundred feet in
width on each side of said road where it may pass over the public lands;
also, all necessary ground for station buildings, workshops, depots, ma-
chine-shops, switches, side tracks, turn-tables, and water stations.

Sec. 2. And be it further enacted, That there be, and is hereby, granted
to the Placerville and Sacramento Valley Railroad Company, its succes-
sors and assigns, for the purpose of aiding in the construction of said
railroad and telegraph line, and to secure the safe and speedy transporta-
tion of the mails, troops, munitions of war, and public stores over the
route of said railroad, every alternate section of public land, not
containing gold or silver, designated by odd numbers, to the amount of
ten alternate sections per mile, on each side of said railroad line, as said
company may adopt, whenever, on the line thereof, the United States
have full title, not reserved, sold, granted, or otherwise appropriated, and
free from pre-emption or other claims or rights at the time the line of
said road is definitely fixed, and a plat thereof filed in the office of the
Commissioner of the General Land Office; Provided, That the word
“mineral,” when it occurs in this act, shall not be held to include iron or
coil.

Sec. 3. And be it further enacted, That whenever said Placerville and
Sacramento Valley Railroad Company shall have ten consecutive miles
of any portion of said railroad and telegraph line ready for the service
contemplated, the President of the United States shall appoint three com-
missioners to examine the same, and if it shall appear that ten miles of
said railroad and telegraph line have been completed in a good and sub-
stantial manner, and in all respects as required by this act, the commis-
sioners shall so report to the President of the United States, and patents
of lands, as aforesaid, shall be issued to said company, confirming to said
company the right and title to said lands situated opposite to and coter-
minous with said completed section of said road, unless said lands are
covered by the exceptions of this act. And from time to time, whenever
ten additional miles shall have been constructed, completed, and in readi-
ness, as aforesaid, and verified by the commissioners to the President of
the United States, then patents shall be issued to said company, conveying
the additional sections of land, as aforesaid: and so on as fast as
every ten miles of said road is completed, as aforesaid: Provided, That
said commissioners named in this section shall be paid, by the company,
ten dollars per day for the time actually employed, and ten cents per
mile for the distance actually and necessarily travelled each way.

Sec. 4. And be it further enacted, That said Placerville and Sacra-
mento Valley railroad shall be constructed in a substantial and workman-
like manner, with all the necessary drains, culverts, bridges, viaducts,
crossings, turnouts, stations, and waterings-places, and all other appurte-
nances, including furniture and rolling stock, equal in all respects to rail-
roads of the first class, when prepared for business, with rails of the best
quality, manufactured from American iron, and a uniform gauge shall be
established the entire length of the road. And there shall be constructed
telegraph line of the most substantial and approved description, to be
operated on the entire route: Provided, That said company shall not
charge higher rates to the government, its officers or agents, than they do
to individuals for telegraphic service, and that the said railroad shall be
and remain a public highway for the use of the government of the United
States free of all toll or other charge upon the transportation of any
property or troops of the United States, and the same shall be transported
over said road at the cost, charge, and expense of the corporation o
pany owning or operating the same when required by the United States to do so.

SEC. 5. And be it further enacted, That the President of the United States shall cause such lands to be surveyed for twenty miles in width on both sides of the entire line of said road, after the general route shall be fixed, and as fast as may be required by the construction of said railroad; and the odd sections of land hereby granted shall not be liable to sale, or entry, or pre-emption, before or after they are surveyed, except by said company, as provided in this act; but the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof and of the act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twenty-eight, eighteen hundred and sixty-two, shall be, and the same are hereby, extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company; and the sections and parts of sections of land which by the aforesaid grant shall remain in the United States within ten miles on each side of said road, shall not be sold for less than double the minimum price of public lands when sold.

SEC. 6. And be it further enacted, That each and every grant, right, and privilege herein are so made and given to and accepted by said Placerville and Sacramento Valley Railroad Company, upon and subject to the following conditions, namely: That the said company shall commence the work on said road within one year from the approval of this act by the President, and shall complete the whole road by the fourth day of July, eighteen hundred and sixty-nine.

SEC. 7. And be it further enacted, That the United States make the several conditioned grants herein, and that the said Placerville and Sacramento Valley Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow the same to continue for upwards of one year, then in such case, the title to the public lands herein reserved for the construction of said road shall revert to the United States.

SEC. 8. And be it further enacted, That all people of the United States shall have the right to subscribe to the stock of the said Placerville and Sacramento Valley Railroad Company until the whole capital is taken up, by complying with the terms of subscription.

SEC. 9. And be it further enacted, That the acceptance of the terms, conditions, and impositions of this act by the said Placerville and Sacramento Valley Railroad Company shall be signified in writing, under the corporate seal of the said company, duly executed, pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within one year after the passage of this act, and not afterwards, and shall be deposited with the Secretary of the Interior.

SEC. 10. And be it further enacted, That the said company is authorized to accept to its own use any grant, donation, or loan, power, franchise, aid or assistance which may be granted to or conferred upon said company by the Congress of the United States, by the legislature of any State, county, or municipal corporation, or by any corporation, person or persons, and said corporation is authorized to hold and enjoy any such grant, donation, loan, or power, franchise, aid, or assistance, to its own use, for the purpose aforesaid.

SEC. 11. And be it further enacted, That unless the said Placerville and Sacramento Valley Railroad Company shall obtain bona fide subscriptions to the stock of said company to the amount of four hundred thousand dollars, with five per centum paid within one year after the passage and approval of this act, it shall be null and void.

SEC. 12. And be it further enacted, That Congress may at any time, having due regard for the rights of said Placerville and Sacramento Valley Railroad Company, add to, alter, amend, or repeal this act.
SEC. 13. And be it further enacted, That all lots in villages, towns, and cities shall be exempted from, and not subject to, the operations of this act.

APPROVED, July 13, 1866.

CHAP. CLXXXIII.—An Act relating to Lands granted to the State of Minnesota to aid in constructing Railroads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever it shall appear that the United States have sold or disposed of any lands granted to the Territory or State of Minnesota for the purpose of aiding in the construction of railroads, after the definite location of the line of road, and before the withdrawal of said lands from sale at the proper local land office, said State may by its agent select, in lieu of the lands so sold or disposed of, from any of the lands of the United States subject to sale, being odd numbered sections, within twenty miles of the line of the proper road, a quantity of land equal to that so sold or disposed of; and the lands so selected shall be substituted for those so sold or disposed of by the United States, and may be disposed of by said State in all respects as if said substituted lands had been parcel of the original grant to the State.

Provided, however, That nothing herein contained shall be so construed as to diminish the quantity of land granted by act of May fifth, eighteen hundred and sixty-four, to the State of Minnesota to aid in the construction of a railroad from St. Paul to Lake Superior.

SEC. 2. And be it further enacted, That the time named in the act granting lands to the Territory of Minnesota to aid in the construction of a certain railroad, "from Saint Paul and from Saint Anthony, by the way of Minneapolis, to a convenient point of junction west of the Mississippi river, to the southern boundary of the Territory," approved March third, eighteen hundred and fifty-seven, for the construction and completion of said road, is hereby extended for seven years from the passage of this act.

SEC. 3. And be it further enacted, That all the lands heretofore granted to the Territory and State of Minnesota to aid in the construction of railroads, shall be certified to said State by the Secretary of the Interior, from time to time, whenever any of said roads shall be definitely located, and shall be disposed of by said State in the manner and upon the conditions provided in the particular act granting the same, as modified by the provisions of this act: Provided, That when the original quantity granted to aid in the construction of any road has been increased, the quantity authorized to be sold from time to time shall be increased correspondingly:

And provided, further, That on the completion of any ten miles of road, the State may sell one half the quantity of lands which said State is authorized to dispose of on the completion of twenty miles.

SEC. 4. And be it further enacted, That the lands granted by any act of Congress to the State of Minnesota, to aid in the construction of railroads in said State, specifically, lying in place, on any division of ten miles of road, shall not be disposed of until the road shall be completed through and coterminous with the same: Provided, however, That this provision shall not extend to any lands authorized to be taken to make up deficiencies.

SEC. 5. And be it further enacted, That so much of any act as conflicts with the provisions of this act is hereby repealed.

APPROVED, July 13, 1866.
CHAP. CLXXXIV.—An Act to reduce Internal Taxation and to amend an Act entitled "An Act to provide Internal Revenue to support the Government, to pay Interest on the Public Debt, and for other Purposes," approved June third, eighteen hundred and sixty-four, and Acts amendatory thereof

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the first day of August, eighteen hundred and sixty-six, in lieu of the taxes on unmanufactured cotton, as provided in "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirtieth, eighteen hundred and sixty-four, as amended by the act of March third, eighteen hundred and sixty-five, there shall be paid by the producer, owner, or holder, upon all cotton produced within the United States, and upon which no tax has been levied, paid, or collected, a tax of three cents per pound, as hereinbefore provided; and the weight of such cotton shall be ascertained by deducting four per centum for tare from the gross weight of each bale or package; and such tax shall be and remain a lien thereon, in the possession of any person whomsoever from the time when this law takes effect, or such cotton is produced as aforesaid, until the same shall have been paid; and no drawback shall, in any case, be allowed on raw or unmanufactured cotton of any tax paid thereon when exported in the raw or unmanufactured condition. But no tax shall be imposed upon any cotton imported from other countries, and on which an import duty shall have been paid.

SEC. 2. And be it further enacted, That the aforesaid tax upon cotton shall be levied by the assessor on the producer, owner, or holder thereof. And said tax shall be paid to the collector of internal revenue within and for the collection district in which said cotton shall have been produced, and before the same shall have been removed therefrom, except where otherwise provided in this act; and every collector to whom any tax upon cotton shall be paid shall mark the bales or other packages upon which the tax shall have been paid, in such manner as may clearly indicate the payment thereof, and shall give to the owner or other person having charge of such cotton a permit for the removal of the same, stating therein the amount and payment of the tax, the time and place of payment, and the weight and marks upon the bales and packages, so that the same may be fully identified; and it shall be the duty of every such collector to keep clear and sufficient records of all such cotton inspected or marked, and of all marks and identifications thereof, and of all permits for the removal of the same, and of all his transactions relating thereto, and he shall make full returns thereof, monthly, to the commissioner of internal revenue.

SEC. 3. And be it further enacted, That the commissioner of internal revenue is hereby authorized to designate one or more places in each collection district where an assessor or a deputy assessor and a collector or deputy collector shall be located, and where cotton may be brought for the purpose of being weighed and appropriately marked: Provided, That it shall be the duty of the assessor or assistant assessor and the collector or deputy collector to assess and cause to be properly marked the cotton, wherever it may be, in said district, provided their necessary travelling expenses to and from said designated place, for that purpose, be paid by the owners thereof.

SEC. 4. And be it further enacted, That all cotton having been weighed and marked as hereon provided, and for which permits shall have been duly obtained of the assessor, may be removed from the district in which it has been produced to any one other district, without prepayment of the tax due thereon, upon the execution of such transportation bonds or other security, and in accordance with such regulations as shall be prescribed by the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury. The said cotton so removed shall be
delivered to the collector of internal revenue or his deputy forthwith upon its arrival at its point of destination, and shall remain subject to his control until the taxes thereon, and any necessary charges of custody thereof, shall have been paid, but nothing herein contained shall authorize any delay of the payment of said taxes for more than ninety days from the date of the permits; and when cotton shall have been weighed and marked for which a permit shall have been granted without prepayment of the tax, it shall be the duty of the assessor granting such permit to give immediate notice of such permit to the collector of internal revenue for the district to which said cotton is to be transported, and he shall also transmit therewith a statement of the taxes due thereon, and of the bonds or other securities for the payment thereof, and he shall make full returns and statements of the same to the commissioner of internal revenue.

SEC. 5. And be it further enacted, That it shall be unlawful, from and after the first day of September, eighteen hundred and sixty-six, for the owner, master, supercargo, agent, or other person having charge of any vessel, or for any railroad company, or other transportation company, or for any common carrier, or other person, to convey, or attempt to convey, or transport any cotton, the growth or produce of the United States, from any point in the district in which it shall have been produced, unless in the places or zones for which a permit shall have been granted without prepayment of the tax, it shall be the duty of the assessor granting such permit to give immediate notice of such permit to the collector of internal revenue for the district to which said cotton is to be transported, and he shall also transmit therewith a statement of the taxes due thereon, and of the bonds or other securities for the payment thereof, and he shall make full returns and statements of the same to the commissioner of internal revenue.

Transportation of cotton from place of production, unless marked, &c., forbidden; from any State in which cotton is produced to any other place without certificate, &c.

SEC. 6. And be it further enacted, That upon articles manufactured exclusively from cotton, when exported, there shall be allowed as a drawback an amount equal to the internal tax which shall have been assessed and paid upon such articles in their finished condition, and in addition thereto a drawback or allowance of as many cents per pound upon the pound of cotton cloth, yarn, thread, or knit fabrics, manufactured exclusively from cotton and exported, as shall have been assessed and paid in the form of an internal tax upon the raw cotton entering into the manufacture of said cloth or other article, the amount of such allowance or drawback to be ascertained in such manner as may be prescribed by the.
commissioner of internal revenue, under the direction of the Secretary of the Treasury; and so much of section one hundred and seventy-one of the act of June thirty, eighteen hundred and sixty-four, "To provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," as now provides for a drawback on manufactured cotton, is hereby repealed.

**SEC. 7. And be it further enacted,** That it shall be the duty of every person, firm, or corporation, manufacturing cotton for any purpose whatever, in any district where cotton is produced, to return to the assessor or assistant assessor of the district in which such manufacture is carried on, a true statement in writing, signed by him, and verified by his oath or affirmation, on or before the tenth day of each month; and the first statement so rendered shall be on or before the tenth day of August, eighteen hundred and sixty-six, and shall state the quantity of cotton which such manufacturer had on hand and unmanufactured or in process of manufacture, on the first day of said month; and each subsequent statement shall show the whole quantity in pounds, gross weight, of cotton purchased or obtained, and the whole quantity consumed by him in any business or process of manufacture during the last preceding calendar month, and the quantity and character of the goods manufactured therefrom; and every such manufacturer or consumer shall keep a book, in which he shall enter the quantity, in pounds, of cotton which he has on hand on the first day of August, eighteen hundred and sixty-six, and each quantity or lot purchased or obtained by him thereafter; the time when and the party or parties from whom the same was obtained; the quantity of said cotton, if any, which is the growth of the collection district where the same is manufactured; the quantity, if any, which has not been weighed and marked by any officer herein authorized to weigh and mark the same; the quantity, if any, upon which the tax had not been paid, so far as can be ascertained, before the manufacture thereof; and also the quantities used or disposed of by him from time to time in any process of manufacture or otherwise, and the quantity and character of the product thereof, which book shall, at all times during business hours, be open to the inspection of the assessor, assistant assessors, collector or deputy collectors of the district, inspectors, or of revenue agents; and such manufacturer shall pay monthly to the collector, within the time prescribed by law, the tax herein specified, subject to no deductions, on all cotton so consumed by him in any manufacture, and on which no excuse tax has previously been paid; and every such manufacturer or person whose duty it is so to do, who shall neglect or refuse to make such returns to the assessor, or to keep such book, or who shall make false or fraudulent returns, or make false entries in such book, or procure the same to be so done, in addition to the penalty of not less than one thousand nor more than five thousand dollars, to be recovered with costs of suit, or to imprisonment not exceeding two years, in the discretion of the court; and any person or persons who shall make any false oath or affirmation in relation to any matter or thing herein required shall be guilty of perjury, and shall be subject to the punishment prescribed by existing statutes for that offence: Provided, That nothing herein contained shall be construed in any manner to affect the liability of any person for any tax imposed by law on the goods manufactured from such cotton.

**SEC. 8. And be it further enacted,** That the provisions of the act of June thirty, eighteen hundred and sixty-four, as amended by the act of March third, eighteen hundred and sixty-five, relating to the assessment of taxes and enforcing the collection of the same, and all proceedings and remedies relating thereto, shall apply to the assessment and collection of the tax, fines, and penalties imposed by, and not inconsistent with, the provi-
sions of the preceding sections of this act; and the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, shall make all necessary rules and regulations for ascertaining the weight of all cotton to be assessed, and for appropriately marking the same, and generally for carrying into effect the foregoing provisions. And the Secretary of the Treasury is authorized to appoint all necessary inspectors, weighters, and markers of cotton, whose compensation shall be determined by the commissioner of internal revenue, and paid in the same manner as inspectors of tobacco are paid.

Sec. 9. And be it further enacted, That the act entitled “An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,” approved June thirty, eighteen hundred and sixty-four, as amended by the act of March third, eighteen hundred and sixty-five, be, and the same is hereby, amended as follows, viz:

That section five be amended by adding thereto the following: And any inspector, or revenue agent, or any special agent appointed by the Secretary of the Treasury, who shall demand or receive any compensation, fee, or reward, other than such as are provided by law for, or in regard to, the performance of his official duties, or shall be guilty of any extort or willful oppression in the discharge of such duties, shall, upon conviction thereof in any circuit or district court of the United States having jurisdiction thereof, be subject to a fine of not exceeding one thousand dollars, or to imprisonment for not exceeding one year, or both, at the discretion of the court, and shall be dismissed from office, and shall be forever disqualified from holding any office under the government of the United States. And one half of the fine so imposed shall be for the use of the United States, and the other half for the use of the person, to be ascertained by the judgment of the court, who shall first give the information whereby any such fine may be imposed.

That section eight be amended by striking out of said section all after the words “until an appointment filling the vacancy shall be made.”

That section fourteen be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That in case any person shall be absent from his or her residence or place of business at the time an assistant assessor shall call for the annual list or return, and no annual list or return has been rendered by such person to the assistant assessor as required by law, it shall be the duty of such assistant assessor to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post office, a note or memorandum, addressed to such person, requiring him or her to render to such assistant assessor the list or return required by law within ten days from the date of such note or memorandum, verified by oath or affirmation. And if any person, on being notified or required as aforesaid, shall refuse or neglect to render such list or return within the time required as aforesaid, or if any person without notice, as aforesaid, shall not deliver a monthly or other list or return at the time required by law, or if any person shall deliver or disclose to any assessor or assistant assessor any list, statement, or return which, in the opinion of the assessor, is false or fraudulent, or contains any understatement or undervaluation, it shall be lawful for the assessor to summon such person, his agent, or other person having possession, custody, or care of books of account containing entries relating to the trade or business of such person, or any other person he may deem proper, to appear before such assessor and produce such book, at a time and place therein named, and to give testimony or answer interrogatories under oath or affirmation respecting any objects liable to tax as aforesaid, or the lists, statements, or returns thereof, or any trade, business, or profession liable to any tax as aforesaid. And the assessor may summon, as aforesaid, any person residing or found within the State in which his district is situated. And when the person in-
If persons do not reside, &c., in State, assessor may enter any district where, &c., and make examination. Summons how served.

Certificate of service to be evidence.

Description of books. Penalty for neglecting, &c., to obey summons, &c.

Attachment for contempt, &c.

Assessors to enter premises, take views, and make up lists.

Amount added, how to be collected.

100 per cent to be added to tax for false lists, and 50 per cent for neglect, &c. Further time.

Section 19. Assessors to advertise when taxes may be paid; to post notices. Appeals.

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tended to be summoned does not reside and cannot be found within such State, the assessor may enter any collection district where such person may be found, and there make the examination hereinbefore authorized. And to this end he shall have and may exercise all the power and authority he has or may lawfully exercise in the district for which he is commissioned. The summons authorized by this section shall in all cases be served by an assistant assessor of the district where the person to whom it is directed may be found, by an attested copy delivered to such person in hand or left at his last and usual place of abode, allowing such person at the rate of one day for each twenty-five miles he may be required to travel, computed from the place of service to the place of examination; and the certificate of service signed by such assistant assessor shall be evidence of the facts it states on the hearing of an application for an attachment; and when the summons requires the production of books, it shall be sufficient if such books are described with reasonable certainty. In case any person so summoned shall neglect or refuse to obey such summons, or to give testimony, or to answer interrogatories as required, it shall be lawful for the assessor to apply to the judge of the district court or to a commissioner of the circuit court of the United States for the district within which the person so summoned resides for an attachment against such person as for a contempt. It shall be the duty of such judge or commissioner to hear such application, and, if satisfactory proof be made, to issue an attachment, directed to some proper officer, for the arrest of such person, and upon his being brought before him to proceed to a hearing of the case; and upon such hearing the judge or commissioner shall have power to make such order as he shall deem proper, not inconsistent with the provisions of existing laws for the punishment of contempts, to enforce obedience to the requirements of the summons and punish such person for his default or disobedience. It shall be the duty of the assessor or assistant assessor of the district within which such person shall have taxable property to enter into and upon the premises, if it be necessary, of such person so refusing or neglecting, or rendering a false or fraudulent list or return, and to make, according to the best information which he can obtain, including that derived from the evidence elicited by the examination of the assessor, and on his own view and information, such list or return, according to the form prescribed, of the property, goods, wares, and merchandise, and all articles or objects liable to tax, owned or possessed or under the care or management of such person, and assess the tax thereon, including the amount, if any, due for special or income tax; and in case of the return of a false or fraudulent list or valuation, he shall add one hundred per centum to such tax; and in case of a refusal or neglect, except in cases of sickness or absence as aforesaid, he shall add fifty per centum to such tax; and in case of neglect occasioned by sickness or absence as aforesaid, the assessor may allow such further time for making and delivering such list or return as he may judge necessary, not exceeding thirty days; and the amount so added to the tax shall, in all cases, be collected by the collector at the same time and in the same manner as the tax; and the list or return so made and subscribed by such assessor or assistant assessor shall be taken and reputed as good and sufficient for all legal purposes.

That section nineteen be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That the assessor for each collection district shall give notice by advertisement in one newspaper published in each county within said district, and if there be none published in the district, then in a newspaper published in a collection district adjoining thereto, and shall post notices in at least four public places within each assessment district, and shall mail a copy of such notice to each postmaster in his district, to be posted in his office, stating the time and place within said collection district when and where appeals will
be received and determined relative to any erroneous or excessive valua-
tions, assessments, or enumerations by the assessor or assistant assessor
returned in the annual list, and such notice shall be advertised and
posted by the assessor and mailed as aforesaid at least ten days before the
time appointed for hearing said appeals. And it shall be the duty of
the assessor for each collection district, at the time fixed for hearing such ap-
peals as aforesaid, to submit the proceedings of the assessor and assistant
assessor, and the annual lists taken and returned as aforesaid, to the in-
spection of any and all persons who may apply for that purpose. And
such assessor is hereby authorized at any time to hear and determine in
a summary way, according to law and right, upon any and all appeals
which may be exhibited against the proceedings of the said assessor or
assistant assessors, and the office or principal place of business of the said
assessor shall be open during the business hours of each day for the hear-
ing of appeals by parties who shall appear voluntarily before him: Pro-
vided, That no appeal shall be allowed to any party after he shall have
been duly assessed, and the annual list containing the assessment has
been transmitted to the collector of the district. And all appeals to the
assessor as aforesaid shall be made in writing, and shall specify the par-
ticular cause, matter, or thing respecting which a decision is requested,
and shall, moreover, state the ground or principle of error complained of.
And the assessor shall have power to re-examine and determine upon the
assessments and valuations, and rectify the same as shall appear just and
 equitable; but such valuation, assessment, or enumeration shall not be in-
creased without a previous notice of at least five days to the party inter-
ested to appear and object to the same if he judge proper, which notice
shall be in writing and left at the dwelling-house, office, or place of busi-
ness of the party by such assessor, assistant assessor, or other person, or
sent by mail to the nearest or usual post office address of said party:
Provided further, That on the hearing of appeals it shall be lawful for
the assessor to require by summons the attendance of witnesses and the
production of books of account in the same manner and under the same
penalties as are provided in cases of refusal or neglect to furnish lists or
returns. The costs for the attendance and mileage of said witnesses shall
be taxed by the assessor and paid by the delinquent parties, or by the
disbursing agent for the district, on certificate of the assessor, at the rates
allowed to witnesses in the district courts of the United States.

That section twenty be amended by striking out all after the enacting
clause and inserting in lieu thereof the following: That the assessor of
each collection district shall, immediately after the expiration of the time
for hearing appeals concerning taxes returned in the annual list, and
from time to time, as taxes become liable to be assessed, make out lists
containing the sums payable according to law upon every subject of taxa-
tion for each collection district; which list shall contain the name of each
person residing within the said district, or owning or having the care or
superintendence of property lying within the said district, or engaged in
any business or pursuit which is liable to any tax, when such person or
persons are known, together with the sums payable by each, and where
there is any property within any collection district liable to tax, not owned
or occupied by or under the superintendence of any person resident therein,
there shall be a separate list of such property, specifying the sum pay-
able, and the names of the respective proprietors when known. And the
assessor making out any such separate list shall transmit to the assessor
of the district where the persons liable to pay such tax reside, or shall
have their principal place of business, copies of the list of property held
by persons so liable to pay such tax, to the end that the taxes assessed
under the provisions of this act may be paid within the collection district
where the persons liable to pay the same reside, or may have their prin-
cipal place of business. And in all other cases the said assessor shall
Lists to be furnished to the collectors of the several collection districts, respectively, within ten days after the time of hearing appeals concerning taxes returned in the annual list, and from time to time thereafter as required, a certified copy of such list or lists for their proper collection districts. And in case it shall be ascertained that the annual list, or any other list, which may have been, or which shall hereafter be, delivered to any collector, is imperfect or incomplete in consequence of the omission of the names of any persons or parties liable to tax, or in consequence of any omission, understatement, or undervaluation, or false or fraudulent statement contained in any return or returns made by any persons or parties liable to tax, the said assessor may, from time to time, or at any time within fifteen months from the time of the passage of this act or from the time of the delivery of the list to the collector as aforesaid, enter on any monthly or special list the names of such persons or parties so omitted, together with the amount of tax for which they may have been or shall become liable, and also the names of the persons or parties in respect to whose returns, as aforesaid, there has been or shall be any omission, understatement, understatement, or false or fraudulent statement, together with the amounts for which such persons or parties may be liable, over and above the amount for which they may have been, or shall be, assessed upon any return or returns made as aforesaid, and shall certify or return said list to the collector as required by law. And all other provisions of law for the ascertainment of liability to any tax, or the assessment or collection thereof, shall be held to apply, as far as may be necessary to the proceedings herein authorized and directed. And wherever the word "duty" is used in this act, or the acts to which this is amended, it shall be construed to mean "tax," whenever such construction shall be necessary in order to effect the purposes of said acts.

Section 21. That section twenty-one be amended by striking out the words "without having taken the oath or affirmation required by this act," and inserting in lieu thereof the words "without having taken the oath or affirmation required by law."

Section 22. That section twenty-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That there shall be allowed and paid to the several assessors a salary of fifteen hundred dollars per annum, payable quarterly; and, in addition thereto, where the receipts of the collection district shall exceed the sum of one hundred thousand dollars, and shall not exceed the sum of four hundred thousand dollars annually, one half of one per centum upon the excess of receipts over one hundred thousand dollars. Where the receipts of a collection district shall exceed four hundred thousand dollars, and shall not exceed six hundred thousand, one fifth of one per centum upon the excess of receipts over four hundred thousand dollars. Where the receipts shall exceed six hundred thousand dollars, one tenth of one per centum upon such excess; but the salary of no assessor shall in any case exceed the sum of four thousand dollars. And the several assessors shall be allowed and paid the sums actually and necessarily expended, with the approval of the commissioner of internal revenue, for office rent; but no account of such rent shall be allowed or paid until it shall have been verified in such manner as the commissioner shall require, and shall have been audited and approved by the proper officers of the Treasury Department. And the several assessors shall be paid, after the account thereof shall have been rendered to and approved by the proper officers of the treasury, their necessary and reasonable charges for clerk-hire; but no such account shall be approved unless it shall state the name or names of the clerk or clerks employed, and the precise periods of time for which they were respectively employed, and the rate of compensation agreed upon, and shall be accompanied by an affidavit of the assessor stating that such service...
was actually required by the necessities of his office, and was actually rendered, and also by the affidavit of each clerk, stating that he has rendered the service charged in such account on his behalf; the compensation agreed upon, and that he has not paid, deposited or assigned, or contracted to pay, deposit, or assign any part of such compensation to the use of any other person, or in any way, directly or indirectly, paid or given, or contracted to pay or give, any reward or compensation for his office or employment, or the emoluments thereof; and the chief clerk of any such assessor is hereby authorized to administer, in the absence of the assessor, such oaths or affirmations as are required by this act. And there shall be allowed and paid to each assistant assessor four dollars for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose to be certified by the assessor, and three dollars for every hundred persons assessed contained in the tax list, as completed and delivered by him to the assessor, and twenty-five cents for each permit granted for making tobacco, snuff, or cigars; and assistant assessors may be allowed, in the settlement of their accounts, such sum as the commissioner of internal revenue shall approve, not exceeding three hundred dollars per annum, for office rent; but no account for such rent shall be allowed or paid until it shall have been verified in such manner as the commissioner of internal revenue may require, and shall have been audited and approved by the proper officers of the Treasury Department; and assistant assessors, when employed outside of the town in which they reside, in addition to the compensation now allowed by law, shall, during such time so employed, receive one dollar per day; and the said assessors and assistant assessors, respectively, shall be paid, after the account thereof shall have been rendered to and approved by the proper officers of the Treasury, their necessary and reasonable charges for stationery and blank books used in the discharge of their duties, and for postage actually paid on letters and documents received and sent, and relating exclusively to official business, and for money actually paid for publishing notices required by this act: Provided, That no such account shall be approved unless it shall state the date and the particular item of every such expenditure, and shall be verified by the oath or affirmation of such assessor or assistant assessor; and the compensation herein specified shall be in full for all expenses not otherwise particularly authorized: Provided further, That the commissioner of internal revenue may, under such regulations as may be established by the Secretary of the Treasury, after due public notice, receive bids and make contracts for supplying stationery, blank books, and blanks to the assessors, assistant assessors, and collectors in the several collection districts: Provided further, That the Secretary of the Treasury shall be, and he is hereby, authorized to fix such additional rates of compensation to be made to assessors and assistant assessors in cases where a collection district embraces more than a single congressional district, and to assessors and assistant assessors, revenue agents, and inspectors in Louisiana, Georgia, South Carolina, Alabama, Florida, Texas, Arkansas, North Carolina, Mississippi, Tennessee, California, Nevada, and Oregon, and the Territories, as may appear to him to be just and equitable, in consequence of the greater cost of living and travelling in those States and Territories, and as may, in his judgment, be necessary to secure the services of competent officers; but the compensation thus allowed shall not exceed the rate of five thousand dollars per annum. Collectors of internal revenue acting as disbursing officers shall be allowed all bills of assistant assessors heretofore paid by them in pursuance of the directions of the commissioner of internal revenue, notwithstanding the assistant assessor did not certify to hours therein, or that two dollars per diem was deducted from his salary or compensation before computation of the tax thereon.

That section twenty-four be amended by striking out the proviso there-
Commissions of assessors and collectors in districts whence cotton or distilled spirits are shipped to be calculated, and to which cotton and distilled spirits are shipped, &c.

See Pest, p. 473.

Section 26.

Accounts after June 30, 1864, to be adjusted to the fiscal year.

Apportionment of commissions.

No salaries, &c. to be paid, unless commissioner certifies that all reports &c have been received.

Section 28.

Collectors to give notices that taxes are payable, and of the time and place of payment;

to notify persons not paying.

If taxes are not paid in ten days, &c., ten per cent additional, &c. to be paid.

Notice for taxes not in annual lists

to, and inserting in lieu thereof the following: Provided, That in calculating the commissions of assessors and collectors of internal revenue in districts whence cotton or distilled spirits are shipped in bond to be sold in another district, one half the amount of tax received on the quantity of cotton or spirits so shipped shall be added to the amount on which the commissions of such assessors and collectors are calculated, and a corresponding amount shall be deducted from the amount on which the commissions of the assessors and collectors of the districts to which such cotton or spirits are shipped are calculated.

That section twenty-six be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That in the adjustment of the accounts of assessors and collectors of internal revenue which shall accrue after the thirtieth of June, eighteen hundred and sixty-four, and in the payment of their compensation for services after that date, the fiscal year of the treasury shall be observed; and where such compensation, or any part of it, shall be by commissions upon assessments or collections, and shall during any year, in consequence of a new appointment, be due to more than one assessor or collector in the same district, such commissions shall be apportioned between such assessors or collectors; but in no case shall a greater amount of the commissions be allowed to two or more assessors or collectors in the same district than is or may be authorized by law to be allowed to one assessor or collector. And the salary and commissions of assessors and collectors heretofore earned and accrued shall be adjusted, allowed, and paid in conformity to the provisions of this section, and not otherwise; but no payment shall be made to assessors or collectors on account of salaries or commissions without the certificate of the commissioner of internal revenue that all reports required by law or regulation have been received, or that a satisfactory explanation has been rendered to him of the cause of the delay.

That section twenty-eight be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That each of said collectors shall, within twenty days after receiving his annual collection list from the assessors, give notice, by advertisement in one newspaper published in each county in his collection district if there be any, and if not, in a newspaper published in an adjoining county, and by notifications to be posted in at least four public places in each county in his collection district, that the said taxes have become due and payable, and state the time and place within said county at which he or his deputy will attend to receive the same, which time shall not be less than ten days after the date of such notification, and shall send a copy of such notice by mail to each postmaster in the county, to be posted in his office. And if any person shall neglect to pay, as aforesaid, for more than ten days, it shall be the duty of the collector or his deputy to collect the said taxes and fee of twenty cents, with a fee of twenty cents for the issuing and service of such notice, and with four cents for each mile actually and necessarily travelled in serving the same. And if such persons shall not pay the duties or taxes, and the fee of twenty cents and mileage as aforesaid, within ten days after the service or the sending by mail of such notice, it shall be the duty of the collector or his deputy to collect the said taxes and fee of twenty cents and mileage, with a penalty of ten per centum additional upon the amount of taxes. And with respect to all such taxes as are not included in the annual lists aforesaid, all taxes the collection of which is not otherwise provided for in this act, it shall be the duty of each collector, in person or by deputy, to give notice and demand payment thereof, in the manner last mentioned, within ten days from and after receiving the list thereof from the assessor, or within twenty days from and after the expiration of the time within which such tax should have been paid; and if the annual
or other taxes shall not be paid within ten days from and after such no-
tice and demand, it shall be lawful for such collector, or his deputies, to
proceed to collect the said taxes, with ten per centum additional thereto,
as aforesaid, by distraint and sale of the goods, chattels, or effects, includ-
ing stocks, securities, and evidences of debt, of the persons delinquent as
aforesaid. And in case of distraint, it shall be the duty of the officer
charged with the collection to make, or cause to be made, an account
of the goods or effects distraint, a copy of which, signed by the officer mak-
ning such distraint, shall be left with the owner or possessor of such goods
or effects, or at his or her dwelling or usual place of business, with some
person of suitable age and discretion, if any such can be found, with a
note of the sum demanded, and the time and place of sale; and the said
officer shall forthwith cause a notification to be published in some news-
paper within the county wherein said distraint is made, if there is a news-
paper published in said county, or to be publicly posted at the post office,
if there be one within five miles, nearest to the residence of the person
whose property shall be distraint, and not less than two other public
places, which notice shall specify the articles distraint, and the time and
place for the sale thereof, which time shall not be less than ten nor more
than twenty days from the date of such notification to the owner or pos-
sessor of the property and the publication or posting of such notice as
herein provided, and the place proposed for sale shall not be more than
five miles distant from the place of making such distraint. And said sale
may be adjourned from time to time by said officer, if he shall think it
advisable to do so, but not for a time to exceed in all thirty days. And
if any person, bank, association, company, or corporation, liable to pay any
tax, shall neglect or refuse to pay the same after demand, the amount
shall be a lien in favor of the United States from the time it was due un-
til paid, with the interest, penalties, and costs that may accrue in addition thereto, upon all property and rights to property belonging to such per-
son, bank, association, company, or corporation; and the collector, after
demand, may levy, or by warrant may authorize a deputy collector to levy,
upon all property and rights to property belonging to such person, bank,
association, company, or corporation, or on which the said lien exists, for
the payment of the sum due as aforesaid, with interest and penalty for
non-payment, and also of such further sum as shall be sufficient for the
fees, costs and expenses of such levy. And in all cases of sale, as aforesaid,
the certificate of such sale shall transfer to the purchaser all right,
title and interest of such delinquent in and to the property sold; and
where such property shall consist of stocks, said certificate shall be notice,
when received, to any corporation, company, or association of said trans-
fer, and shall be authority to such corporation, company, or association to
record the same on their books and records, in the same manner as if
transferred or assigned by the person or party holding the same, in lieu
of any original or prior certificates, which shall be void, whether cancelled
or not. And said certificates, where the subject of sale shall be securities
or other evidences of debt, shall be good and valid receipts to the person
holding the same, as against any person holding, or claiming to hold, pos-
session of such securities or other evidences of debt. And all persons,
and officers of companies or corporations, are required, on demand of a
collector or deputy collector about to distrain, or having distrained on any
property or rights of property, to exhibit all books containing evidence or
statements relating to the subject or subjects of distraint, or the property
or rights of property liable to distraint for the tax so due as aforesaid.
Provided, That in any case of distraint for the payment of the taxes
aforesaid, the goods, chattels, or effects so distrained shall and may be re-
stored to the owner or possessor, if, prior to the sale, payment of the
amount due shall be made to the proper officer charged with the collection,
together with the fees and other charges; but in case of non-payment as

When collectors may distrain for taxes.

Proceedings in case of distraint

Notice.

Sale.

Tax to be a lien.

Levy for taxes.

Effect of certificate of sale

Books containing evidence of property, the subject of distraint, to be exhibited to collector on demand.

Property distrained may be restored to owner, if, &c.
Proceeds of sales, how disposed of.

Exemptions from distraint.

Appraisement thereof.

Section 29. Where property liable to distraint is not divisible, whole may be sold.

Proceeds how disposed of.

If amount bid is not equal to tax, collector may buy for the United States.

If no assessment has been made.

Property purchased may be sold.

Account of charges and expenses in sales or seizures, to be rendered.

Section 30. When real estate may be sold for taxes.
estate is proposed to be sold, by giving him in hand, or leaving at his last
or usual place of abode, if he has any such within the collection district
where said estate is situated, a notice, in writing, stating what particular
estate is proposed to be sold, describing the same with reasonable cer-
tainty, and the time when and place where said officer proposes to sell
the same; which time shall not be less than twenty nor more than forty days
from the time of giving said notice. And the said officer shall also cause
a notification to the same effect to be published in some newspaper within
the county where such seizure is made, if any such there be, and shall
also cause a like notice to be posted at the post office nearest to the estate
to be seized, and in two other public places within the county; and the
place of said sale shall not be more than five miles distant from the estate
seized, except by special order of the commissioner of internal revenue.
At the time and place appointed, the officer making such seizure shall
proceed to sell the said estate at public auction, offering the same at a
minimum price, including the expense of making such levy, and all
charges for advertising and an officer's fee of ten dollars. And in case
the real estate so seized, as aforesaid, shall consist of several distinct
tracts or parcels, the officer making sale thereof shall offer each tract or
parcel for sale separately, and shall, if he deem it advisable, apportion the
expenses, charges, and fees, aforesaid, to such several tracts or parcels, or
to any of them, in estimating the minimum price aforesaid. And if no
person offers for said estate the amount of said minimum price, the officer
shall declare the same to be purchased by him for the United States, and
shall deposit with the district attorney of the United States a deed there-
of, as hereinafter specified and provided; otherwise, the same shall be de-
clared to be sold to the highest bidder. And said sale may be adjourned
from time to time by said officer for not exceeding thirty days in all, if he
shall think it advisable so to do. If the amount bid shall not be then and
there paid, the officer shall forthwith proceed to again sell said estate in
the same manner; and upon any sale and the payment of the purchase
money shall give to the purchaser a certificate of purchase, which shall
set forth the real estate purchased, for whose taxes the same was sold, the
name of the purchaser and the price paid therefor; and if the said real
estate be not redeemed in the manner and within the time hereinafter
provided, then the said collector or deputy collector shall execute to the
said purchaser, upon his surrender of said certificate, a deed of the real
estate purchased by him as aforesaid, reciting the facts set forth in said
certificate, and in accordance with the laws of the State in which such
real estate is situate upon the subject of sales of real estate under execu-
tion, which said deed shall be prima facie evidence of the facts therein
stated; and if the proceedings of the officer as set forth have been sub-
stantially in accordance with the provisions of law, shall be considered
and operate as a conveyance of all the right, title, and interest the party
delinquent had in and to the real estate thus sold at the time the lien of
the United States attached thereto. Any person, whose estate may be pro-
ceeded against as aforesaid, shall have the right to pay the amount due,
together with the costs and charges thereon, to the collector or deputy
collector at any time prior to the sale thereof, and all further proceedings
shall cease from the time of such payment. The owners of any real es-
tate sold as aforesaid, their heirs, executors, or administrators, or any per-
son having any interest therein, or a lien thereon, or any person in their
behalf, shall be permitted to redeem the land sold as aforesaid, or any
particular tract thereof, at any time within one year after the sale thereof,
upon payment to the purchaser, or, in case he cannot be found in the
county in which the land to be redeemed is situate, then to the collector
of the district in which the land is situate, for the use of the purchaser,
his heirs or assigns, the amount paid by the said purchaser and interest
thereon at the rate of twenty per centum per annum. And any collector

Proceedings in case of sales of real estate.

Notice.

Place of sale

Sale.

If real estate is of several tracts

When may be bought for the United States.

Adjournment of sale.

Certificate of purchase.

Deed to be given upon surrender of certificate;

to be prima facie evidence of facts stated therein;
to convey what.

Owner may stop proceedings before sale by, &c.;

may redeem within one year after sale, by, &c.
Collector may seize and sell lands in another district.

Records of sales to be kept; to state what;

to be delivered to successor.

Copies to be in office; and a copy of every such record, certified by the collector, shall be evidence in any court of the truth of the facts therein stated. And when any lands sold, as aforesaid, shall be redeemed as hereinbefore provided, the collector shall make an entry of the fact upon the record aforesaid, and the said entry shall be evidence of such redemption. And when any property, personal or real, seized and sold by virtue of the foregoing provisions, shall not be sufficient to satisfy the claim of the United States for which distraint or seizure may be made against any person whose property may be so seized and sold, the collector may, thereafter, and as often as the same may be necessary, proceed to seize and sell, in like manner, any other property liable to seizure of such person until the amount due from him, together with all expenses, shall be fully paid:

Provided, That the word “county,” wherever the same occurs in this act, or the acts of which this is amendatory, shall be construed to mean also a parish or any other equivalent subdivision of a State or Territory.

Section 34.

Collectors to be charged with whole amount of taxes in lists, &c., to be credited with what.

If collector dies, &c., lists, &c. to be transferred to his successor.

or deputy collector may, for the collection of taxes imposed upon any person or for which any person may be liable, and committed to him for collection, seize and sell the lands of such person situated in any other collection district within the State in which said officer resides; and his proceedings in relation thereto shall have the same effect as if the same were had in his proper collection district. And it shall be the duty of every collector to keep a record of all sales of land made in his collection district, whether by himself or his deputies, or by another collector, in which shall be set forth the tax for which any such sale was made, the dates of seizure and sale, the name of the party assessed, and all proceedings in making said sale, the amount of fees and expenses, the name of the purchaser, and the date of the deed; which record shall be certified by the officer making the sale. And it shall be the duty of any deputy making sale, as aforesaid, to return a statement of all his proceedings to the collector, and to certify the record thereof. And in case of the death or removal of the collector or the expiration of his term of office from any other cause, said record shall be delivered to his successor in office; and a copy of every such record, certified by the collector, shall be evidence in any court of the truth of the facts therein stated. And when any lands sold, as aforesaid, shall be redeemed as hereinbefore provided, the collector shall make an entry of the fact upon the record aforesaid, and the said entry shall be evidence of such redemption. And when any property, personal or real, seized and sold by virtue of the foregoing provisions, shall not be sufficient to satisfy the claim of the United States for which distraint or seizure may be made against any person whose property may be so seized and sold, the collector may, thereafter, and as often as the same may be necessary, proceed to seize and sell, in like manner, any other property liable to seizure of such person until the amount due from him, together with all expenses, shall be fully paid:

Provided, That the word “county,” wherever the same occurs in this act, or the acts of which this is amendatory, shall be construed to mean also a parish or any other equivalent subdivision of a State or Territory.

That section thirty-four be amended by striking out all after the enacting clause and inserting the following: That each collector shall be charged with the whole amount of taxes, whether contained in lists delivered to him by the assessors, respectively, or delivered or transmitted to him by assistant assessors from time to time, or by other collectors, or by his predecessor in office, and with the additions thereto, the par value of all stamps deposited with him, and with all moneys collected for passports, penalties, forfeitures, fees, or costs, and he shall be credited with all payments into the treasury made as provided by law, with all stamps returned by him uncancelled to the treasury, and with the amount of taxes contained in the lists transmitted in the manner above provided to other collectors, and by them receipted as aforesaid; and also with the amount of the taxes of such persons as may have absconded, or become insolvent, prior to the day when the tax ought, according to the provisions of law, to have been collected, and with all uncollected taxes transferred by him or by his deputy acting as collector to his successor in office; Provided, That it shall be proved to the satisfaction of the commissioner of internal revenue that due diligence was used by the collector, who shall certify the facts to the first comptroller of the treasury. And each collector shall also be credited with the amount of all property purchased by him for the use of the United States, provided he shall faithfully account for and pay over the proceeds thereof upon a resale of the same as required by law. In case of the death, resignation, or removal of the collector, all lists and accounts of taxes uncollected shall be transferred to his successor in office as soon as such successor shall be appointed and qualified, and it shall be the duty of such successor to collect the same.
THIRTY- NINTH CONGRESS. Sess. I. Ch. 184. 1866.

That section forty-one be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That it shall be the duty of the collectors aforesaid, or their deputies, in their respective districts, and they are hereby authorized, to collect all the taxes imposed by law, however the same may be designated, and to prosecute for the recovery of any sum or sums which may be forfeited by law; and all fines, penalties, and forfeitures which may be incurred or imposed by law, shall be sued for and recovered, in the name of the United States, in any proper form of action, or by any appropriate form of proceeding, qui tam or otherwise, before any circuit or district court of the United States for the district within which said fine, penalty, or forfeiture may have been incurred, or before any other court of competent jurisdiction. And taxes may be sued for and recovered, in the name of the United States, in any proper form of action before any circuit or district court of the United States for the district within which the liability to such tax may have been or shall be incurred, or where the party from whom such tax is due may reside at the time of the commencement of said action. But no such suit shall be commenced unless the commissioner of internal revenue shall authorize or sanction the proceedings: Provided, That in case of any suit for penalties or forfeitures brought upon information received from any person, other than a collector, deputy collector, assessor, assistant assessor, revenue agent, or inspector of internal revenue, the United States shall not be subject to any costs of suit, nor shall the fees of any attorney or counsel employed by any such officer be allowed in the settlement of his account, unless the employment of such attorney or counsel shall be authorized by the commissioner of internal revenue, either expressly or by general regulations.

That section forty-four be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That the commissioner of internal revenue, subject to regulations prescribed by the Secretary of the Treasury, shall be, and is hereby, authorized, on appeal to him made, to remit, refund, and pay back all taxes erroneously or illegally assessed or collected, all penalties collected without authority, and all taxes that shall appear to be unjustly assessed or excessive in amount or in any manner wrongfully collected, and also repay to collectors or deputy collectors the full amount of such sums of money as shall or may be recovered against them, or any of them, in any court, for any internal taxes or licenses collected by them, with the costs and expenses of suit, and all damages and costs recovered against assessors, assistant assessors, collectors, deputy collectors, and inspectors, in any suit which shall be brought against them, or any of them, by reason of anything that shall or may be done in the due performance of their official duties; and all judgments and moneys recovered or received for taxes, costs, forfeitures, and penalties, shall be paid to the collector as internal taxes are required to be paid: Provided, That where a second assessment may have been made in case of a list, statement, or return which in the opinion of the assessor or assistant assessor was false or fraudulent, or contained any understatement or undervaluation, such assessment shall not be remitted, nor shall taxes collected under such assessment be recovered, refunded, or paid back, unless it is proved that said list, statement, or return was not false or fraudulent, and did not contain any understatement or undervaluation.

That section forty-eight be amended by striking out all after the enacting clause and inserting the following: That all goods, wares, merchandise, articles, or objects, on which taxes are imposed by the provisions of law, which shall be found in the possession, or custody, or within the control of any person or persons, for the purpose of being sold or removed by such person or persons in fraud of the internal revenue laws, or with design to avoid payment of said taxes, may be seized by the collector.
lector or deputy collector of the proper district, or by such other collector or deputy collector as may be specially authorized by the commissioner of internal revenue for that purpose, and the same shall be forfeited to the United States; and also all raw materials found in the possession of any person or persons intending to manufacture the same into articles of a kind subject to tax for the purpose of fraudulent[ly] selling such manufactured articles, or with design to evade the payment of said tax; and also all tools, implements, instruments, and personal property whatsoever, in the place or building or within any yard or enclosure where such articles or such raw materials shall be found, may also be seized by any collector or deputy collector, as aforesaid, and the same shall be forfeited as aforesaid; and the proceedings to enforce said forfeiture shall be in the nature of a proceeding in rem in the circuit or district court of the United States for the district where such seizure is made, or in any other court of competent jurisdiction. And any person who shall have in his custody or possession any such goods, wares, merchandise, articles, or objects, subject to tax as aforesaid, for the purpose of selling the same with the design of avoiding payment of the taxes imposed thereon, shall be liable to a penalty of five hundred dollars, or not less than double the amount of taxes fraudulently attempted to be evaded, to be recovered in any court of competent jurisdiction; and the goods, wares, merchandise, articles, or objects, which shall be so seized by any collector or deputy collector, may, at the option of the collector, be delivered to the marshal of said district, and remain in the care and custody of said marshal, and under his control until he shall obtain possession by process of law, and the cost of seizure made before process issues shall be taxable by the court: Provided, That when the property so seized may be liable to perish or become greatly reduced in price or value by keeping, or when it cannot be kept without great expense, the owner thereof, the collector, or the marshal of the district, may apply to the assessor of the district to examine said property; and if, in the opinion of said assessor, it shall be necessary that the said property should be sold to prevent such waste or expense, he shall appraise the same; and the owner thereupon shall have said property returned to him upon giving bond in such form as may be prescribed by the commissioner of internal revenue, and in an amount equal to the appraised value, with such sureties as the said assessor shall deem good and sufficient, to abide the final order, decree or judgment of the court having cognizance of the case, and to pay the amount of said appraised value to the collector, marshal, or otherwise, as he may be ordered and directed by the court, which bond shall be filed by said assessor with the United States district-attorney for the district in which said proceedings in rem may be commenced: Provided further, That in case said bond shall have been executed and the property returned before seizure thereof, by virtue of the process aforesaid, the marshal shall give notice of the pendency of proceedings in court to the parties executing said bond, by personal service or publication, and in manner and form as the court may direct, and the court shall thereupon have jurisdiction of said matter and parties in the same manner as if such property had been seized by virtue of the process aforesaid. But if said owner shall neglect or refuse to give said bond, the assessor shall issue to the collector or marshal aforesaid an order to sell the same; and the said collector or marshal shall thereupon advertise and sell the said property at public auction in the same manner as goods may be sold on final execution in said district; and the proceeds of the sale, after deducting the reasonable costs of the seizure and sale, shall be paid to the court aforesaid, to abide its final order, decree, or judgment.

Sections 63-67, 59, and 62-70 repealed on Sept 1, 1866.
to take effect on the first day of September, eighteen hundred and sixty-six.

That section seventy-one be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.

That section seventy-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.

That section seventy-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.

That section seventy-one be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.

That section seventy-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.

That section seventy-one be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.

That section seventy-one be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.

That section seventy-one be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.

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That section seventy-one be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.
Persons carrying on any trade, business, or profession, or doing any act for which a special tax is imposed, shall, on demand of any officer of internal revenue, produce and exhibit the receipt for payment of the tax, and unless he shall do so may be taken and deemed not to have paid such tax. And in case any pedler shall refuse to exhibit his or her receipt, as aforesaid, when demanded by any officer of internal revenue, said officer may seize the horse or mule, wagon, and contents, or pack, bundle, or basket of any person so refusing, and the assessor of the district in which the seizure has occurred may, on ten days' notice, published in any newspaper in the district, or served personally on the pedler, or at his dwelling-house, require such pedler to show cause, if any he has, why the horses or mules, wagon, and contents, pack, bundle, or basket so seized shall not be forfeited; and in case no sufficient cause is shown, the assessor may direct a forfeiture, and issue an order to the collector or to any deputy collector of the district for the sale of the property so forfeited; and the same, after payment of the expenses of the proceedings, shall be paid to the collector for the use of the United States. And all such special taxes shall become due on the first day of May in each year, or on commencing any trade, business, or profession upon which such tax is by law imposed. In the former case the tax shall be reckoned for one year, and in the latter case, proportionately for that part of the year from the first day of the month in which the liability to a special tax commenced, to the first day of May following.

That section seventy-five be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That upon the death of any person having paid the special tax for any trade, business or profession, it may and shall be lawful for the executors or administrators, or the wife or child, or the legal representatives of such deceased person to occupy the house or premises, and in like manner to exercise or carry on, for the residue of the term for which the tax shall have been paid, the same trade, business, or profession, as the deceased before exercised or carried on, in or upon the same houses or premises, without payment of any additional tax. And in case of the removal of any person or persons from the house or premises for which any trade, business, or profession was taxed, it shall be lawful for the person or persons so removing to any other place to carry on the trade, business, or profession specified in the tax receipt at the place to which such person or persons may remove without payment of any additional tax. Provided, That all cases of death, change, or removal, as aforesaid, shall be registered with the assistant assessor, and with the collector, together with the name or names of the person or persons making such change or removal, or successor to any person deceased, under regulations to be prescribed by the commissioner of internal revenue.

That section seventy-six be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That in every case where more than one of the pursuits, employments, or occupations, herein described, shall be pursued or carried on in the same place by the same person at the same time, except as hereinafter provided, the tax shall be paid for each according to the rates severally prescribed: Provided, That in cities and towns having a less population than six thousand persons according to the last preceding census, one special tax shall be held to embrace the business of land-warrant brokers, claim agents, and real estate agents, upon payment of the highest rate of tax applicable to either one of said pursuits.

That section seventy-seven be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That no auctioneer shall, by virtue of having paid the special tax as an auctioneer, sell any goods or other property at private sale, nor shall he employ any other person to act as auctioneer in his behalf, except in his own store or

or carrying on any trade, business, or profession, or doing any act for which a special tax is imposed, shall, on demand of any officer of internal revenue, produce and exhibit the receipt for payment of the tax, and unless he shall do so may be taken and deemed not to have paid such tax. And in case any pedler shall refuse to exhibit his or her receipt, as aforesaid, when demanded by any officer of internal revenue, said officer may seize the horse or mule, wagon, and contents, or pack, bundle, or basket of any person so refusing, and the assessor of the district in which the seizure has occurred may, on ten days' notice, published in any newspaper in the district, or served personally on the pedler, or at his dwelling-house, require such pedler to show cause, if any he has, why the horses or mules, wagon, and contents, pack, bundle, or basket so seized shall not be forfeited; and in case no sufficient cause is shown, the assessor may direct a forfeiture, and issue an order to the collector or to any deputy collector of the district for the sale of the property so forfeited; and the same, after payment of the expenses of the proceedings, shall be paid to the collector for the use of the United States. And all such special taxes shall become due on the first day of May in each year, or on commencing any trade, business, or profession upon which such tax is by law imposed. In the former case the tax shall be reckoned for one year, and in the latter case, proportionately for that part of the year from the first day of the month in which the liability to a special tax commenced, to the first day of May following.

That section seventy-five be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That upon the death of any person having paid the special tax for any trade, business or profession, it may and shall be lawful for the executors or administrators, or the wife or child, or the legal representatives of such deceased person to occupy the house or premises, and in like manner to exercise or carry on, for the residue of the term for which the tax shall have been paid, the same trade, business, or profession, as the deceased before exercised or carried on, in or upon the same houses or premises, without payment of any additional tax. And in case of the removal of any person or persons from the house or premises for which any trade, business, or profession was taxed, it shall be lawful for the person or persons so removing to any other place to carry on the trade, business, or profession specified in the tax receipt at the place to which such person or persons may remove without payment of any additional tax: Provided, That all cases of death, change, or removal, as aforesaid, shall be registered with the assistant assessor, and with the collector, together with the name or names of the person or persons making such change or removal, or successor to any person deceased, under regulations to be prescribed by the commissioner of internal revenue.

That section seventy-six be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That in every case where more than one of the pursuits, employments, or occupations, herein described, shall be pursued or carried on in the same place by the same person at the same time, except as hereinafter provided, the tax shall be paid for each according to the rates severally prescribed: Provided, That in cities and towns having a less population than six thousand persons according to the last preceding census, one special tax shall be held to embrace the business of land-warrant brokers, claim agents, and real estate agents, upon payment of the highest rate of tax applicable to either one of said pursuits.

That section seventy-seven be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That no auctioneer shall, by virtue of having paid the special tax as an auctioneer, sell any goods or other property at private sale, nor shall he employ any other person to act as auctioneer in his behalf, except in his own store or
warehouse or in his presence; and any auctioneer who shall sell goods or commodities otherwise than by auction, without having paid the special tax imposed upon such business, shall be subject and liable to the penalty imposed upon persons dealing in or retailing, trading or selling goods or commodities without payment of the special tax for exercising or carrying on such trade or business; and where goods or commodities are the property of any person or persons taxed to deal in or retail, or trade in or sell the same, it shall and may be lawful for any person exercising or carrying on the trade or business of an auctioneer to sell such goods or commodities for and on behalf of such person or persons in said house or premises.

That section seventy-eight be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any number of persons, except lawyers, conveyancers, claim agents, patent agents, physicians, surgeons, dentists, cattle brokers, horse dealers, and pedlars, doing business in copartnership at any one place, shall be required to pay but one special tax for such copartnership.

That section seventy-nine be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That a special tax shall be, and hereby is, imposed as follows, that is to say:

One. Banks chartered or organized under a general law, with a capital not exceeding fifty thousand dollars, and bankers using or employing a capital not exceeding the sum of fifty thousand dollars, shall pay one hundred dollars; when exceeding fifty thousand dollars, for every additional thousand dollars in excess of fifty thousand dollars, two dollars. Every incorporated or other bank, and every person, firm, or company having a place of business where credits are opened by the deposit or collection of money or currency, subject to be paid or remitted upon draft, check, or order, or where money is advanced or loaned on stocks, bonds, bullion, bills of exchange, or promissory notes, or where stocks, bonds, bullion, bills of exchange, or promissory notes are received for discount or for sale, shall be regarded as a bank or as a banker: Provided, That any savings bank having no capital stock, and whose business is confined to receiving deposits and loaning or investing the same for the benefit of its depositors, and which does no other business of banking, shall not be subject to this tax.

Two. Wholesale dealers, whose annual sales do not exceed fifty thousand dollars, shall pay fifty dollars; and if their annual sales exceed fifty thousand dollars, for every additional thousand dollars in excess of fifty thousand dollars, they shall pay one dollar; and the amount of all sales within the year beyond fifty thousand dollars shall be returned monthly to the assistant assessor, and the tax on sales in excess of fifty thousand dollars shall be assessed by the assessors, and paid monthly as other monthly taxes are assessed and paid. Every person shall be regarded as a wholesale dealer whose business it is, for himself or on commission, to sell or offer to sell any goods, wares, or merchandise of foreign or domestic production, not including wines, spirits, or malt liquors, whose annual sales exceed twenty-five thousand dollars. And the payment of the special tax as a wholesale dealer shall not exempt any such person acting as a commercial broker from the payment of the special tax imposed upon commercial brokers: Provided, That no person paying the special tax as a wholesale dealer in liquors shall be required to pay an additional special tax on account of the sale of other goods, wares or merchandise on the same premises: And provided further, That, in estimating the amount of sales for the purposes of this section, any sales made by or through another wholesale dealer on commission shall not be again estimated and included as sold by the party for whom the sale was made.

Three. Retail dealers shall pay ten dollars. Every person whose business or occupation it is to sell or offer for sale any goods, wares, or commodities otherwise than by auction, without having paid the special tax imposed upon such business, shall be subject and liable to the penalty imposed upon persons dealing in or retailing, trading or selling goods or commodities without payment of the special tax for exercising or carrying on such trade or business; and where goods or commodities are the property of any person or persons taxed to deal in or retail, or trade in or sell the same, it shall and may be lawful for any person exercising or carrying on the trade or business of an auctioneer to sell such goods or commodities for and on behalf of such person or persons in said house or premises.
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Definition of merchandise of foreign or domestic production, not including spirits, wines, ale, beer, or other malt liquors, and whose annual sales exceed one thousand and do not exceed twenty-five thousand dollars, shall be regarded as a retail dealer.

Four. Wholesale dealers in liquors whose annual sales do not exceed fifty thousand dollars shall pay one hundred dollars, and if exceeding fifty thousand dollars, for every additional one thousand dollars in excess of fifty thousand dollars, they shall pay one dollar, and such excess shall be assessed and paid in the same manner as required of wholesale dealers.

Every person who shall sell or offer for sale any distilled spirits, fermented liquors, or wines of any kind in quantities of more than three gallons at one time to the same purchaser, or whose annual sales, including sales of other merchandise, shall exceed twenty-five thousand dollars, shall be regarded as a wholesale dealer in liquors.

Retail dealers in liquors whose annual sales do not exceed fifty thousand dollars shall pay one hundred dollars, and if exceeding fifty thousand dollars, for every additional one thousand dollars in excess of fifty thousand dollars, they shall pay one dollar, and such excess shall be assessed and paid in the same manner as required of wholesale dealers.

Every person who shall sell or offer for sale foreign or domestic spirits, wines, ale, beer, or other malt liquors in quantities of three gallons or less, and whose annual sales, including all sales of other merchandise, do not exceed twenty-five thousand dollars, shall be regarded as a retail dealer in liquors.

Six. Lottery ticket dealers shall pay one hundred dollars. Every person, association, firm, or corporation who shall make, sell, or offer to sell lottery tickets or fractional parts thereof, or any token, certificate, or device representing or intending to represent a lottery ticket or any fractional part thereof, or any policy of numbers in any lottery, or shall manage any lottery, or prepare schemes of lotteries, or superintend the drawing of any lottery, shall be deemed a lottery ticket dealer: Provided, That the managers of any lottery shall give bond in the sum of one thousand dollars that the person paying such tax shall not sell any tickets or supplementary ticket of such lottery which has not been duly stamped according to law, and that he will pay the tax imposed by law upon the gross receipts of his sales.

Horse dealers; Seven. Horse dealers shall pay ten dollars. Any person whose business it is to buy or sell horses or mules shall be regarded a horse dealer: Provided, That one special tax having been paid, no additional tax shall be imposed upon any horse dealer for keeping a livery stable, nor upon any livery stable keeper for dealing in horses.

Livery stable keepers.

Eight. Livery stable keepers shall pay ten dollars. Any person whose business it is to keep horses for hire, or to let, or to keep, feed, or board horses for others, shall be regarded as a livery stable keeper.

Brokers.

Nine. Brokers shall pay fifty dollars. Every person, firm, or company, whose business it is to negotiate purchases or sales of stocks, bonds, exchange, bullion, coined money, bank notes, promissory notes, or other securities, for themselves or others, shall be regarded as a broker: Provided, That any person having paid the special tax as a banker shall not be required to pay the special tax as a broker.

Pawnbrokers. Ten. Pawnbrokers using or employing a capital of not exceeding fifty thousand dollars, shall pay fifty dollars; and when using or employing a capital exceeding fifty thousand dollars, for every additional thousand dollars in excess of fifty thousand dollars, shall pay two dollars. Every person whose business or occupation it is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of personal property whatever, as security for the repayment of money lent thereon, shall be deemed a pawnbroker.

Land-warrant brokers.

Eleven. Land-warrant brokers shall pay twenty-five dollars. Any person shall be regarded as a land-warrant broker who makes a business of buying and selling land warrants or of furnishing them to settlers or other persons.

Cattle brokers. Twelve. Cattle brokers, whose annual sales do not exceed ten thou-
sand dollars, shall pay ten dollars; and if exceeding the sum of ten thousand dollars, one dollar for each additional thousand dollars; and such excess shall be assessed and paid in the same manner as required of wholesale dealers. Any person whose business it is to buy or sell or deal in cattle, hogs, or sheep, shall be considered as a cattle broker.

Thirteen. Produce brokers, whose annual sales do not exceed the sum of ten thousand dollars, shall pay ten dollars. Every person other than one having paid the special tax as a commercial broker or cattle broker, or whole-sal or retail dealer, or pedlar, whose occupation it is to buy or sell agricultural or farm products, and whose annual sales do not exceed ten thousand dollars, shall be regarded as a produce broker.

Fourteen. Commercial brokers shall pay twenty dollars. Any person or firm whose business it is, as a broker, to negotiate sales or purchases of goods, wares, or merchandise, or to negotiate freights and other business for the owners of vessels, or for the shippers, or consignors, or consignees of freight carried by vessels, shall be regarded a commercial broker.

Fifteen. Custom-house brokers shall pay ten dollars. Every person whose occupation it is, as the agent of others, to arrange entries and other custom-house papers, or transact business at any port of entry relating to the importation or exportation of goods, wares, or merchandise, shall be regarded a custom-house broker.

Sixteen. Distillers shall pay one hundred dollars. Every person, firm, or corporation, who distils or manufactures spirits, or who brews or makes mash, wort, or wash for distillation or the production of spirits, shall be deemed a distiller: Provided, That distillers of apples, grapes, or peaches, distilling or manufacturing fifty and less than one hundred and fifty barrels per year from the same, shall pay fifty dollars; and those distilling or manufacturing less than fifty barrels per year from the same, shall pay twenty dollars: And provided further, That no tax shall be imposed for any still, stills, or other apparatus used by druggists and chemists for the recovery of alcohol for pharmaceutical and chemical or scientific purposes which has been used in those processes.

Seventeen. Brewers shall pay one hundred dollars. Every person, firm, or corporation who manufactures fermented liquors of any name or description, for sale, from malt, wholly or in part, or from any substitute therefor, shall be deemed a brewer: Provided, That any person, firm, or corporation, who manufactures less than five hundred barrels per year, shall pay the sum of fifty dollars.

Eighteen. Rectifiers who shall rectify any quantity of spirituous liquors, not exceeding five hundred barrels, packages, or casks, containing not more than forty gallons to each barrel, package, or cask, shall pay twenty-five dollars; and twenty-five dollars additional for each additional five hundred such barrels, packages, or casks, or any fractional part thereof. Every person, firm, or corporation, who rectifies, purifies, or refines distilled spirits or wines by any process, or who, by mixing distilled spirits or wine with any materials, manufactures any spurious, imitation, or compound liquors for sale, under the name of whiskey, brandy, gin, rum, wine, "spirits," or "wine butters," or any other name, shall be regarded as a rectifier.

Nineteen. Coal-oil distillers and distillers of burning fluid and camphene shall pay fifty dollars. Any person, firm, or corporation, who shall refine, produce, or distil petroleum, or rock oil, or oil made of coal, asphaltum, shale, peat, or other bituminous substances, or shall manufacture illuminating oil, shall be regarded as a coal-oil distiller.

Twenty. Keepers of hotels, inns, or taverns, shall be classified and rated according to the yearly rental, or, if not rented, according to the estimated yearly rental of the house and property intended to be so occupied as follows, to wit: when the rent or valuation of the yearly rental
Keepers of hotels, inns, or taverns; of said house and property shall be two hundred dollars, or less, they shall pay ten dollars; and if exceeding two hundred dollars, for any additional one hundred dollars or fractional part thereof in excess of two hundred dollars, five dollars: Provided, That a payment of such special tax shall be construed to permit the person so keeping a hotel, inn, or tavern, to furnish the necessary food for the animals of such travellers or sojourners without the payment of an additional special tax as a livery stable keeper. Every place where food and lodging are provided for and furnished to travellers and sojourners for pay shall be regarded as a hotel, inn, or tavern: Provided, That keepers of hotels, taverns, and eating-houses, in which liquors are sold by retail, to be drank upon the premises, shall pay an additional tax of twenty-five dollars. The yearly rental shall be fixed and established by the assistant assessor of the proper assessment district at its proper value; but if rented, at not less than the actual rent agreed on by the parties. All steamers and vessels, upon waters of the United States, on board of which passengers or travellers are provided with food or lodgings, shall be subject to and required to pay twenty-five dollars: Provided, That any person who shall make a false or fraudulent return concerning the actual rent mentioned in this paragraph shall be subject to a penalty therefor of double the amount of the tax.

Twenty-one. Keepers of eating-houses shall pay ten dollars. Every place where food or refreshments of any kind, not including spirits, wines, ale, beer, or other malt liquors, are provided for casual visitors and sold for consumption therein, shall be regarded as an eating-house. But the keeper of an eating-house, having paid the tax therefor, shall not be required to pay a special tax as a confectioner, anything in this [act] to the contrary notwithstanding. And keepers of hotels, inns, taverns, and eating-houses, having paid the special tax therefor, shall not be required to pay additional tax for selling tobacco, snuff, or cigars on the same premises, anything in this act to the contrary notwithstanding.

Twenty-two. Confectioners shall pay ten dollars. Every person who sells at retail confectionery, sweetmeats, comfits, or other confects, in any building, shall be regarded as a confectioner. But wholesale and retail dealers, having paid the special tax therefor, shall not be required to pay the special tax as a confectioner, anything in this act to the contrary notwithstanding.

Twenty-three. Claim agents and agents for procuring patents shall pay ten dollars. Every person whose business it is to prosecute claims in any of the executive departments of the federal government, or procure patents, shall be deemed a claim or patent agent, as the case may be.

Twenty-four. Patent right dealers shall pay ten dollars. Every person whose business it is to sell, or offer for sale, patent-rights, shall be regarded as a patent-right dealer.

Twenty-five. Real estate agents shall pay ten dollars. Every person whose business it is to sell or offer for sale real estate for others, or to rent houses, stores, or other buildings or real estate, or to collect rent for others, except lawyers paying a special tax as such, shall be regarded as a real estate agent.

Twenty-six. Conveyancers shall pay ten dollars. Every person, other than one having paid the special tax as a lawyer or claim agent, whose business it is to draw deeds, bonds, mortgages, wills, writs, or other legal papers, or to examine titles to real estate, shall be regarded as a conveyancer.

Twenty-seven. Intelligence office keepers shall pay ten dollars. Every person whose business it is to find or furnish places of employment for others, or to find or furnish servants upon application in writing or otherwise, receiving compensation therefor, shall be regarded as an intelligence office keeper.
Twenty-eight. Insurance agents shall pay ten dollars. Any person who shall act as agent of any fire, marine, life, mutual, or other insurance company or companies, or any person who shall negotiate or procure insurance for which he receives any commission or other compensation, shall be regarded as an insurance agent: Provided, That if the annual receipts of any person as such agent shall not exceed one hundred dollars, he shall pay five dollars only: And provided further, That no special tax shall be imposed upon any person for selling tickets or contracts of insurance against injury to persons while travelling by land or water.

Twenty-ninth. Foreign insurance agents shall pay fifty dollars. Every person who shall act as agent of any foreign fire, marine, life, mutual, or other insurance company or companies shall be regarded as a foreign insurance agent.

Thirty. Auctioneers, whose annual sales do not exceed ten thousand dollars shall pay ten dollars, and if exceeding ten thousand dollars shall pay twenty dollars. Every person shall be deemed an auctioneer whose business it is to offer property at public sale to the highest or best bidder: Provided, That the provisions of this paragraph shall not apply to judicial or executive officers making auction sales by virtue of any judgment or decree of any court, nor public sales made by or for executors, administrators, or guardians of an estate held by them as such.

Thirty-one. Manufacturers shall pay ten dollars. Any person, firm, or corporation who shall manufacture by hand or machinery any goods, wares, or merchandise, not otherwise provided for, exceeding annually the sum of one thousand dollars, or who shall be engaged in the manufacture or preparation for sale of any articles or compounds, or shall put up for sale in packages with his own name or trade-mark thereon any articles or compound, shall be regarded as a manufacturer.

Thirty-two. Pedlers shall be classified and rated as follows, to wit: When travelling with more than two horses, or mules, the first class, and shall pay fifty dollars; when travelling with two horses, or mules, the second class, and shall pay twenty-five dollars; when travelling with one horse, or mule, the third class, and shall pay fifteen dollars; when travelling on foot, or by public conveyance, the fourth class, and shall pay ten dollars. Any person, except persons peddling only charcoal, newspapers, magazines, bibles, religious tracts, or the products of his farm or garden, who sells or offers to sell, at retail, goods, wares, or other commodities, travelling from place to place in the town or through the country, shall be regarded a pedler: Provided, That any pedler who sells, or offers to sell, distilled spirits, fermented liquors or wines, dry-goods, foreign or domestic, by one or more original packages or pieces, at one time, to the same person or persons, or who peddles jewelry, shall pay fifty dollars: Provided further, That manufacturers and producers of agricultural tools and implements, garden seeds, fruit and ornamental trees, stoves and hollow ware, brooms, wooden ware, charcoal, and gunpowder, delivering and selling at wholesale any of said articles, by themselves or their authorized agents, at places other than the place of manufacture, shall not therefor be required to pay any special tax: Provided further, That persons who sell shell or other fish or both, travelling from place to place, and not from any shop or stand, shall be required to pay five dollars only; and no special tax shall be imposed for selling shell or other fish from hand-carts or wheelbarrows.

Thirty-three. Apothecaries shall pay ten dollars. Every person who keeps a shop or building where medicines are compounded or prepared according to prescriptions of physicians, or where medicines are sold, shall be regarded as an apothecary. But wholesale and retail dealers, who have paid the special tax therefor, shall not be required to pay a tax as an apothecary; nor shall apothecaries who have paid the special tax be required to pay the tax as retail dealers in liquor in consequence of selling.
Apothecaries. Alcohol, or of selling or of dispensing, upon physicians’ prescriptions, the wines and spirits official in the United States and other national pharmacopoeias, in quantities not exceeding half a pint of either at any one time, nor exceeding in aggregate cost value the sum of three hundred dollars per annum.

Photographers. Thirty-four. Photographers shall pay ten dollars. Any person who makes for sale photographs, ambrotypes, daguerreotypes, or pictures, by the action of light, shall be regarded a photographer.

Tobacconists. Thirty-five. Tobacconists shall pay ten dollars. Any person, firm or corporation whose business is to manufacture cigars, snuff, or tobacco in any form, shall be regarded a tobacconist.

Butchers. Thirty-six. Butchers shall pay ten dollars. Every person whose business it is to sell butchers’ meat at retail shall be regarded as a butcher; provided, that no butcher having paid the special tax therefor shall be required to pay the special tax as a retail dealer on account of selling other articles at the same store, stall, or premises: provided further, that butchers who sell butchers’ meat exclusively by themselves or agents, travelling from place to place, and not from any shop or stand, shall be required to pay five dollars only, any existing law to the contrary notwithstanding.

Proprietors of theatres, museums, and concert halls shall pay one hundred dollars. Every edifice used for the purpose of dramatic or operatic or other representations, plays or performances, for admission to which entrance money is received, not including halls rented or used occasionally for concerts or theatrical representations, shall be regarded as a theatre: provided, that when any such edifice is under lease at the passage of this act the tax shall be paid by the lessee, unless otherwise stipulated between the parties to said lease.

Circuses. Thirty-eight. The proprietor or proprietors of circuses shall pay one hundred dollars. Every building, tent, space, or area, where feats of horsemanship or acrobatic sports or theatrical performances are exhibited, shall be regarded as a circus: provided, that no special tax paid in one State shall exempt exhibitions from the tax in another State. And but one special tax shall be imposed for exhibitions within any one State.

Jugglers. Thirty-nine. Jugglers shall pay twenty dollars. Every person who performs by sleight of hand shall be regarded as a juggler. The proprietors or agents of all other public exhibitions or shows for money, not enumerated in this section, shall pay ten dollars: provided, that a special tax paid in one State shall not exempt exhibitions from the tax in another State. And but one special tax shall be required for exhibitions within any one State.

Bowling alleys and billiard rooms. Proprietors of bowling alleys and billiard rooms shall pay ten dollars for each alley or table. Every place or building where bowls are thrown or billiards played, and open to the public with or without price, shall be regarded as a bowling alley or billiard room, respectively.

Gift enterprises. Proprietors of gift enterprises shall pay one hundred and fifty dollars. Every person, firm, or corporation who shall sell or offer for sale any real estate or article of merchandise of any description whatsoever, or any ticket of admission to any exhibition or performance, with a promise, express or implied, to give or bestow, or in any manner hold out the promise of gift or bestowal of any article or thing for and on consideration of the purchase by any person of any other article or thing, shall be regarded as a proprietor of a gift enterprise. provided, that no such proprietor, in consequence of being thus taxed, shall be exempt from paying any other tax imposed by law, and the special tax herein required shall be in addition thereto.

Stallions and jacks. Owners of stallions and jacks shall pay ten dollars. Every person who keeps a horse or a jack for the use of mares, requiring or receiving pay therefor, shall be regarded as the owner thereof, and shall
furnish a statement to the assessor or assistant assessor, which shall con-
tain a brief description of the animal, its age, and place or places where
used or to be used: Provided, That all accounts, notes, or demands for the
use of any such horse or jack, the owner or keeper thereof not having
paid the tax as aforesaid, shall be void.

Forty-three. Lawyers shall pay ten dollars. Every person who for
fee or reward shall prosecute or defend causes in court of record or other
judicial tribunal of the United States or of any of the States, whose
business it is to give legal advice in relation to any cause or matter what-
ever, shall be deemed to be a lawyer.

Forty-four. Physicians, surgeons, and dentists shall pay ten dollars.
Every person (except apothecaries) whose business it is, for fee and reward,
to prescribe, remedies or perform surgical operations for the cure of any
bodily disease or ailment, shall be deemed a physician, surgeon, or dent-
ist.

Forty-five. Architects and civil engineers shall pay ten dollars. Every
person whose business it is to plan, design, or superintend the construc-
tion of buildings, or ships, or of roads, or bridges, or canals, or railroads, shall
be regarded as an architect and civil engineer: Provided, That this shall
not include a practical carpenter who labors on a building.

Forty-six. Builders and contractors shall pay ten dollars. Every per-
son whose business it is to construct buildings, or vessels, or bridges, or canals,
or railroads, by contract, whose receipts from building contracts
exceed two thousand five hundred dollars in any one year, shall be re-
garded as a builder and contractor.

Forty-seven. Plumbers and gas-fitters shall pay ten dollars. Every Plumbers and
person, firm, or corporation, whose business it is to fit, furnish, or sell
gas-pipes, gas-burners, or other gas-fixtures, shall be
regarded a plumber and gas-fitter.

Forty-eight. Assayers, assaying gold and silver, or either, of a value Assayers.
not exceeding in one year two hundred and fifty thousand dollars, shall
pay one hundred dollars, and two hundred dollars when the value exceeds
two hundred and fifty thousand dollars, and does not exceed five hundred
thousand dollars, and five hundred dollars when the value exceeds five
hundred thousand dollars. Any person or persons or corporation whose
business or occupation it is to separate gold and silver from other metals
or mineral substances with which such gold or silver, or both, are alloyed,
combined, or united, or to ascertain or determine the quantity of gold or
silver in any alloy or combination with other metals, shall be deemed an
assayer.

Forty-nine. Miners shall pay ten dollars. Every person, firm, or com-
pany, who shall employ others in the business of mining for coal, or for
clay, or for any other mineral substance, or to do any mining work, or to
have any interest in any mining property, or to be employed in any way in
the business of mining, shall pay the tax therefor a manufacturer, and no other, shall be regarded
as a miner. Provided, That this shall not apply to any miner whose
receipts as such shall not exceed, annually, one thousand dollars.

Fifty. Express carriers and agents shall pay ten dollars. Every person, Express car-
firm, or company, engaged in the carrying or delivery of money, valuable
papers, or any articles for pay, or doing an express business, whose gross
receipts therefrom exceed the sum of one thousand dollars per annum,
shall be regarded as an express carrier: Provided, That but one special
tax of ten dollars shall be imposed upon any one person, firm, or company,
in respect to all the business to be done by such person, firm, or company,
on a continuous route, and the payment of such tax shall cover all busi-
ness done upon such route by such person, firm, or company, anywhere in
the United States; and such tax shall be required only from the prin-
cipal in such business, and not from any subordinate: Provided, further,
That draymen and teamsters owning only one dray or team shall not be
required to pay such tax.
Grinders of coffee and spices

Fifty-one. Grinders of coffee or spices shall pay one hundred dollars. Any person who manufactures or prepares for use and sale, by grinding or other process, coffee, spices, or mustard, or adulterated coffee, spices, or mustard, or any article or compound intended for use in the adulteration of or as substitutes for coffee, spices, or mustard, shall be regarded as a grinder of coffee or spices: Provided, That any person who shall roast coffee for use and sale shall be required to pay the special tax herein imposed upon grinders of coffee or spices.

That section eighty be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That the special tax shall not be imposed upon apothecaries, confectioners, butchers, keepers of eating houses, hotels, inns, or taverns, or retail dealers, except retail dealers in spirituous and malt liquors, when their annual gross receipts shall not exceed the sum of one thousand dollars, any provision of law to the contrary notwithstanding; the amount of such annual receipts to be ascertained or estimated in such manner as the commissioner of internal revenue shall prescribe, as well as the amount of all other annual sales or receipts where the tax is graduated by the amount of sales or receipts; and where the amount of the tax has been increased by law above the amount paid by any person, firm, or company, or has been understated or underestimated, such person, firm, or company shall be again assessed, and pay the amount of such increase: Provided, That when any person, before the passage of this act, has been assessed for a license, the amount thus assessed being equal to the tax herein imposed for the business covered by such license, no special tax shall be assessed until the expiration of the period for which such license was assessed.

That section eighty-one be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That nothing contained in the preceding sections of this act shall be construed to impose a special tax upon vintners who sell wine of their own growth at the place where the same is made; nor upon apothecaries, as to wines or spirituous liquors which they use exclusively in the preparation or making up of medicines; nor shall physicians be taxed for keeping on hand medicines solely for the purpose of making up their own prescriptions for their own patients; nor shall farmers be taxed as manufacturers or producers for making butter or cheese, with milk from their own cows, or for any other farm products: Provided, That the payment of any tax imposed by law shall not be held or construed to exempt any person carrying on any trade, business, or profession, from any penalty or punishment provided by the laws of any State for carrying on such trade, business or profession within such State, or in any manner to authorize the commencement or continuance of such trade, business, or profession contrary to the laws of such State, or in places prohibited by municipal law; nor shall the payment of any tax herein provided be held or construed to prohibit or prevent any State from placing a duty or tax for State or other purposes on any trade, business, or profession, upon which a tax is imposed by law.

That section eighty-six be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any person, firm, company, or corporation, manufacturing or producing goods, wares, and merchandise, sold or removed for consumption or use, upon which taxes are imposed by law, shall, in their return of the value and quantity, render an account of the full amount of actual sales, the state quantity consumed and what used for another manufacture; market value; shipped or consigned.
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return according to the value at the place of shipment, when shipped for a foreign port, or according to the value at the place of manufacture or production, when removed for use or consumption, or consigned to others than agents of the manufacturer or producer. The value and quantity of the goods, wares, and merchandise required to be stated as aforesaid shall be estimated by the actual sales made by the manufacturer or by his agent. And where such goods, wares, and merchandise have been removed for consumption or for delivery to others, or placed on shipboard, or are no longer within the custody or control of the manufacturer or his agent, not being in his factory, store, or warehouse, the value shall be estimated at the average of the market value of the like goods, wares, and merchandise at the time when the same became liable to tax.

That section eighty-seven be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any manufacturer, firm, company, or corporation who may now be engaged in the manufacture of tobacco, snuff, or cigars, or who shall hereafter commence or engage in such manufacture, before commencing, or, if already commenced, before continuing, such manufacture for which they may be liable to be assessed under the provisions of law, shall, in addition to a compliance with all other provisions of law, furnish to the assessor or assistant assessor a statement, subscribed under oath or affirmation, accurately setting forth the place, and, if in a city, the street and number of the street where the manufacturing is, or is to be, carried on, the name and description of the manufactured article, and, if the same shall be manufactured for or to be sold and delivered to any other person or party, the name and residence and business or occupation of the person or party for whom the said article is to be manufactured or to whom it is to be delivered, and generally the kind and quality manufactured or proposed to be manufactured; and shall give a bond to the United States, with one or more sureties to be approved by the collector of the district, in the sum of three thousand dollars for each cutting machine kept for use; in the sum of one thousand dollars for each screw-press kept for use in making plug or pressed tobacco; in the sum of five thousand dollars for each hydraulic press kept for use; in the sum of one thousand dollars for each snuff mill kept for use; and in the sum of one hundred dollars for each person employed by said person, firm, company, or corporation in making cigars; conditioned that he will comply with all the requirements of law in regard to the manufacture of tobacco, snuff, or cigars; that he will not employ others to manufacture cigars who have not obtained the requisite permit for making cigars; that he will not engage in any attempt, by himself or by collusion with others, to defraud the government of any tax on any manufacture of tobacco, snuff, or cigars; that he will render truly and correctly all the returns, statements, and inventories prescribed for manufacturers of tobacco, snuff, and cigars; that whenever he shall add to the number of cutting machines, presses, snuff mills, or cigar-makers, used or employed by him, he will immediately give notice thereof to the collector who holds the bonds that he will pay, to the collector of the district all the taxes which may or should be assessed and due on any tobacco, snuff, or cigars so manufactured, and that he will not knowingly sell, purchase, or receive for sale any such tobacco, snuff, or cigars which have not been inspected, branded, or stamped as required by law, or upon which the tax has not been paid if it has accrued or become payable. And the said bond may be renewed or changed from time to time, in regard to the sureties or amount thereof, according to the discretion of the collector, under the instructions of the commissioner of internal revenue. And every person, firm, company, or corporation aforesaid shall exhibit, whenever demanded by any officer of internal revenue, a certificate from the collector, who is hereby authorized and directed to issue the same, setting forth the kind and number of machines.
presses, snuff mulls, and number of cigar-makers for which the bond has been given. And any person, firm, or corporation manufacturing tobacco, snuff, or cigars of any description without first furnishing the bond in the cases herein required, shall be subject to a fine of three hundred dollars, and in addition thereto, upon conviction thereof, shall be liable to imprisonment for a term not exceeding one year, at the discretion of the court.

That section eighty-eight be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That it shall be the duty of the assistant assessor of each district to keep a record, in a book or books to be provided for the purpose, to be open to the inspection of any person upon reasonable request, of the name of any and every person, firm, company, or corporation who may be engaged in the manufacture of tobacco, snuff, or cigars in his district, together with the place where such manufacture is carried on, and place of residence of the person or persons engaged therein; and the assistant assessor shall enter in said record, under the name of each manufacturer, an abstract of his monthly returns; and each assessor shall keep a similar record for the entire district.

That section eighty-nine be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That in all cases where tobacco, snuff, or cigars of any description, are manufactured, in whole or in part, upon commission or shares, or where the material from which any such articles are made, or are to be made, is furnished by one party and manufactured by another, or where the material is furnished or sold by one party with an understanding or contract with another that the manufactured article is to be received in payment therefor or any part thereof, the tax imposed by law thereon may be assessed upon the party for whom the same was made, or to whom the same was delivered as aforesaid, or upon the person or party who made the same, as the assessor shall deem best for the collection of the revenue. And in case of fraud on the part of either of said parties in respect to said manufacture, or of any collusion on their part with intent to defraud the revenue, such material and manufactured articles shall be liable to forfeiture; and such articles shall be liable to be assessed the highest rates of tax imposed by law upon any article of like kind.

That section ninety be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That any person, firm, company, or corporation, now or hereafter engaged in the manufacture of tobacco, snuff, or cigars, of any description whatsoever, shall be, and hereby is, required to make out and deliver to the assistant assessor of the district a true statement or inventory of the quantity of each of the different kinds of tobacco, snuff-flour, snuff, cigars, tinfoil, licorice, and stems, held or owned by him or them on the first day of January in each year, or at the time of commencing business under this act, setting forth what portion of said goods was manufactured or produced by him or them, and what was purchased from others, whether chewing, smoking, fine-cut shorts, pressed, plug, snuff-flour or prepared snuff, or cigars, which statement or inventory shall be verified by the oath or affirmation of such person or persons, and be in manner and form as prescribed by the commissioner of internal revenue; and every such person, company, or corporation shall keep in book form an accurate account of all the articles aforesaid thereafter purchased by him or them, the quantity of tobacco, snuff, snuff-flour, or cigars, of whatever description, manufactured, sold, consumed, or removed for consumption or sale, or removed from the place of manufacture; and he or they shall, on or before the tenth day of each month, furnish to the assistant assessor of the district a true and accurate abstract of all such purchases and sales, or of which abstract shall be verified by oath or affirmation; and in case of refusal or neglect to deliver the inventory, or keep the account, or furnish the abstract aforesaid,
he or they shall forfeit the sum of five hundred dollars, to be recovered with costs of suit. And it shall be the duty of any manufacturer or vendor of tinfoil, or other material used in manufacturing tobacco, snuff, or cigars, on demand of an officer of internal revenue, to render to such officer a correct statement, verified by oath or affirmation, of the quantity and amount of tinfoil or other materials sold or delivered to any person or persons named in such demand; and in case of refusal or neglect to render such statement, or of cause to believe such statement to be incorrect or fraudulent, the assessor of the district may cause an examination of persons, books, and papers to be made in the same manner as provided in the fourteenth section of this act. And all the provisions of law relating to manufacturers generally, so far as applicable and not inconsistent herewith, shall be held to apply to the manufacture of tobacco, snuff, and cigars: Provided, That the tax imposed upon the manufacturer of tobacco, snuff, and cigars, shall be held to accrue upon the sale or removal from the place of manufacture, unless removed to a bonded warehouse: Provided further, That manufactured tobacco, snuff, or cigars, whether of domestic manufacture or imported, may be transferred, without payment of the tax, to a bonded warehouse established in conformity with law and treasury regulations, under such rules and regulations and upon the execution of such transportation bonds or other security as may be prescribed by the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, said bonds or other security to be taken by the collector of the district from which such removal is made; and may be transported from such a warehouse to any other bonded warehouse established as aforesaid, and may be withdrawn from bonded warehouse for consumption on payment of the tax, or removed for export to a foreign country without payment of tax, in conformity with the provisions of law relating to the removal of distilled spirits, all the rules, regulations, and conditions of which, so far as applicable, shall apply to tobacco, snuff, or cigars in bonded warehouse. And no drawback shall in any case be allowed upon any manufactured tobacco, snuff, or cigars.

That section ninety-one be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That all manufactured tobacco, snuff, or cigars, shall, before the same is used or removed for consumption, be inspected by an inspector appointed under the provisions of law, who shall mark or affix a stamp upon the box or other package containing such tobacco, snuff, or cigars, in a manner to be prescribed by the commissioner of internal revenue, denoting the kind, quantity, or number contained in each package, with the date of inspection and the name of the inspector, and the collection district. The fees of such inspector shall in all cases be paid by the owner of the manufactured tobacco, snuff, or cigars, so inspected. And any person who shall affix upon any box or other package containing such tobacco, snuff, or cigars, any mark or stamp which shall be false or fraudulent in any of the particulars before recited in this section, or shall, with intent to defraud the United States, or to cause the same to be defrauded, change in any manner such stamp or mark, or such box or package so marked or stamped, shall be liable to a fine of not less than fifty dollars, or to imprisonment, not exceeding two years, for every such offence. And all cigars manufactured after the passage of this act shall be packed in boxes or paper packages. And any manufactured tobacco, snuff, or cigars, whether of domestic manufacture or imported, which shall be sold or passed out of the hands of the manufacturer or importer, except into a bonded warehouse, without the inspection marks or stamps affixed, unless otherwise provided, shall be forfeited, and may be seized wherever found, and shall be sold, and the proceeds of such sale shall be distributed between the United States and the informer, if there be any, as provided by law. The commissioner of internal revenue shall keep an account of all
Account to be kept of stamps delivered to or used by inspectors.

Inspectors to give bonds.

Section 92.

Penalty for any person, except the manufacturer, to part with the possession of tobacco &c on which taxes have not been paid.

Penalty for receiving tobacco, snuff, or cigars under certain circumstances.

Penalty for receiving tobacco from a manufacturer who has not paid the tax.

Persons before making cigars to procure a permit.

Charge therefore.

Before making cigars in a district where they do not reside, to have their permit indorsed.

Authority to be indorsed on permit.

Record of permits to be kept, and to state what.

Makers of cigars to keep account and give a copy thereof to assistant assessor each month.

Penalty for making cigars without permit, &c.

Penalty for failing to keep an account of all stamps by them used or placed upon boxes containing cigars, and of all tobacco, snuff, and cigars inspected, and the name of the person, firm, or company for whom the same were so inspected, and shall return to the assessor of the district a separate and distinct account of the same, and also return to the said commissioner, on demand, all stamps not otherwise accounted for, and shall give a bond for a faithful performance of all the duties to which he may be assigned, and to return or account for all stamps which may be placed in his hands.

That section ninety-two be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That if any person other than the manufacturer shall sell, or consign, or remove for sale, or part with the possession of any manufactured tobacco, snuff, or cigars upon which the taxes imposed by law have not been paid, with the knowledge thereof, such person shall be liable to a penalty of one hundred dollars for each offence. And any person who shall purchase or receive for sale any such tobacco, snuff, or cigars, which has not been inspected, branded, or stamped as required by law, or upon which the tax has not been paid, if it has accrued or become payable, with knowledge thereof, shall be liable to a penalty of fifty dollars for each and every offence. And any person who shall purchase or receive for sale any such tobacco, snuff, or cigars, from any manufacturer who has not paid the special tax, shall be liable for each and every offence to a penalty of one hundred dollars, and, in addition thereto, a forfeiture of all the articles, as aforesaid, so purchased or received, or the full value thereof. And every person, before making any cigars after the passage of this act, shall apply for and procure from the assistant assessor of the district in which he resides a permit authorizing such persons to carry on the trade of cigar making, for which permit he shall pay said assistant assessor the sum of twenty-five cents. And every person employed or working at the business of cigar making in any other district than that in which he or she is a resident shall, before making any cigars in such other district, present said permit to the assistant assessor of the district where so employed or working, and procure the indorsement of said assistant assessor thereon, authorizing said business in said district, for which indorsement the assistant assessor shall be entitled to receive from the applicant the sum of ten cents. And it shall be the duty of every assistant assessor, upon application of any person residing in his district, to furnish a permit, or to indorse upon the permit of the applicant, if resident in another district, authority to pursue the trade of cigar making within the proper district of such assistant assessor; and said assistant assessor shall keep a record of all permits granted or indorsed by him, showing the date of each permit, the name, residence, and place of employment of the party named therein, the name and district of the officer who originally granted the same, or who may have made any subsequent indorsements thereon, and the name or names of the party or parties by whom the person named in such permit is employed, or, if working for himself, stating such fact; and every person making cigars shall keep an accurate account in a book of all the cigars made by him, for whom, and their kind or quality; and, if made for any other person, shall state in said account the name of the person for whom the same were made, and his place of business, and shall, on the first Monday of every month, deliver to the assistant assessor of the district a copy of such account, verified by oath or affirmation that the same is true and correct. And if any person shall make any cigars without procuring such permit, or the proper indorsements thereon, or neglect to keep such account in book-form he shall be punished by a fine of five dollars for each day he shall so offend, or by imprisonment for such time as the court may order for each day's offence, not exceeding thirty days in the whole, upon any one conviction. And if any person
making cigars shall fail to make the return herein required, or shall make a false return, he shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding thirty days. And any person may apply to the assistant assessor or inspector of the district to have any cigars of his own manufacture counted; and on receiving a certificate of the number, for which such fee as may be prescribed by the commissioner of internal revenue shall be paid by the owner thereof, may sell and deliver such cigars to any purchaser, in the presence of said assistant assessor or inspector, in bulk or unpacked, without payment of the tax. A copy of the certificate shall be retained by the assistant assessor or by the inspector, who shall return the same to the assessor of the district. The purchaser shall pack such cigars in boxes or paper packages, and have the same inspected and marked or stamped according to the provisions of law, and shall make a return of the same, as inspected, to the assistant assessor of the district wherein the same were manufactured, and, unless removed to a bonded warehouse, shall pay the taxes on such cigars within fifteen days after purchasing them, to the collecter of the district wherein they were manufactured, and before the same have been removed from the store or building of such purchaser, or from his possession; and if such purchaser shall neglect for more than fifteen days to pack and have such cigars duly inspected, and to pay the taxes thereon according to law, he shall be fined not exceeding five hundred dollars, and be imprisoned not exceeding six months, at the discretion of the court, and the cigars may be seized by the collector and shall be forfeited to the United States. And if any person, firm, company, or corporation shall employ or procure any person to make any cigars, who has not the permit or the indorsement thereon required by this act, he shall be punished by a fine of ten dollars for each day he shall so employ such person, or by imprisonment not exceeding ten days. And if any person shall be found making cigars without such permit, or the indorsement thereon, the collector of the district may seize any cigars, or tobacco for making cigars, which may be found in possession of such person, and the same shall be forfeited to the United States and sold; and the proceeds of such sale shall be distributed between the United States and the informer, if there be any, as provided by law.

That section ninety-three be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That all goods, wares, and merchandise, or articles manufactured, made, or produced (except refined petroleum, refined coal oil, cotton, gold and silver, spirituous and malt liquors, manufactured tobacco, snuff, and cigars) by any person or firm, where the product shall not exceed the rate of one thousand dollars per annum, and shall be made or produced by the labor of such person or firm, or by his or their family, shall be and are hereby exempt from tax; where the product shall exceed such rate, and not exceed the rate of three thousand dollars per annum, the tax shall be levied, assessed, and collected only upon the excess above the rate of one thousand dollars per annum; and in all other cases, the whole annual product, including any business or transaction where one party has been furnished with materials, or any part thereof, and employed by another party to manufacture, make, or finish the goods, wares and merchandise, or articles, paying or promising to pay therefor, and to whom the same are returned when so made and finished, shall be assessed and the tax paid thereon by the producer or manufacturer; Provided, That whenever a producer or manufacturer shall use or consume, or shall remove for consumption or use, any articles, goods, wares or merchandise, which, if removed for sale, would be liable to taxation, he shall be assessed for the tax upon the articles, goods, wares, or merchandise so used, or so removed for consumption or use; but naphtha, the product of the distillation of petroleum, and other similar bituminous substances, when used or consumed on the premises for fuel or cleaning, shall be exempt from tax.
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Section 94. Taxes on certain manufactures, unless otherwise provided for.

That section ninety-four be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That upon the articles, goods, wares, and merchandise hereinafter mentioned, except where otherwise provided, which shall be produced and sold, or be manufactured or made and sold, or be consumed or used by the manufacturer or producer thereof, or removed for consumption, or use, or for delivery to others than agents of the manufacturer or producer within the United States or Territories thereof, there shall be assessed, collected, and paid the following taxes, to be paid by the producer or manufacturer thereof, that is to say:

Candles.

Post, pp. 474, 476.

Illuminating gas.

Rate of tax determined by the average of the monthly product for the year.

Where gas works have not been in operation the preceding year.

Product returned to be what.

Certain gas companies may charge tax to consumers until.

Post, p. 474.

Gas for lighting streets, &c., and that made for and used by hotels, to be subject to tax.

Returns understated may be increased.

Rate of tax when companies compete with each other.

Coal tar, &c., exempt.

Illuminating, lubricating, or other mineral oils, the product of crude petroleum.

What to be deemed refined illuminating oil.

Who to be deemed and taxed as manufacturer of illuminating oil.

On candles, of whatever material made, a tax of five per centum ad valorem.

On gas, illuminating, made of coal wholly or in part, or any other material, when the product shall not be above two hundred thousand cubic feet per month, a tax of ten cents per one thousand cubic feet; when the product shall be above two and not exceeding five hundred thousand cubic feet per month, a tax of fifteen cents per one thousand cubic feet; when the product shall be above five hundred thousand and not exceeding five millions of cubic feet per month, a tax of twenty cents per one thousand cubic feet; when the product shall be above five millions, a tax of twenty-five cents per one thousand cubic feet. And the general monthly product average of the monthly product for the year preceding the return required by law shall determine the rate of tax herein imposed. And where any gas works have not been in operation for the next year preceding the return as aforesaid, then the rate shall be determined by the estimated average of the monthly product: Provided, That the product required to be returned by law by any gas company shall be understood to be, in addition to the gas consumed by said company or other party, the product charged in the bills actually rendered by the gas company during the month preceding the return; and until the thirtieth day of April, eighteen hundred and sixty-seven, all gas companies whose price is fixed by law are authorized to add the tax herein imposed, to the price per thousand feet on gas sold; and all such companies which have heretofore contracted to furnish gas to municipal corporations are, in like manner and for the same period, authorized to add such tax to such contract price: Provided further, That all gas furnished for lighting street lamps or for other purposes, and not measured, and all gas made for and used by any hotel, inn, tavern, and private dwelling-house, shall be subject to tax whatever the amount of product, and may be estimated; and if the returns in any case shall be understated or underestimated, it shall be the duty of the assistant assessor of the district to increase the same as he shall deem just and proper: And provided further, That gas companies located within the corporate limits of any city or town, whether in the same district or otherwise, or so located as to compete with each other, shall pay the rate of tax imposed by law upon the company having the largest production: And provided further, That coal tar and ammoniacal liquor produced in the manufacture of illuminating gas, and the products of the re-distillation of coal tar, and the products of the manufacture of ammoniacal liquor thus produced, shall be exempt from tax.

On illuminating, lubricating, or other mineral oils, marking not less than thirty-six nor more than fifty-nine degrees Baume's hydrometer, the product of the distillation, re-distillation, or refining of crude petroleum, twenty cents per gallon; and all such oils between the specific gravity, by Baume's test, of thirty-six and fifty-nine degrees, inclusive, shall be deemed refined illuminating oil; and any person or persons who, for the purpose of sale or consumption, shall mix any of the heavier paraffine oils with such illuminating oils, or with naphtha, or either one with the other, shall be deemed manufacturers of illuminating oil, and taxed as such; and said oil thus mixed, either with or without further distillation,
shall be subject to a tax of twenty cents per gallon, if, after said mixing or distillation, the product, marks, by Baumé’s hydrometer, between said points of thirty-six and fifty-nine degrees, inclusive.

On illuminating, lubricating, or other mineral oils marking not less than thirty-six nor more than fifty-nine degrees Baumé’s hydrometer, the exclusive product of the refining of crude oil produced by a single distillation of coal, shale, asphaltum, peat, or other bituminous substances, not otherwise provided for, ten cents per gallon.

On oil, naphtha, benzine, benzole, or gasoline, marking more than fifty-nine degrees Baumé’s hydrometer, the product of the distillation, re-distillation, or refining of crude petroleum, or of crude oil produced by a single distillation of coal, shale, peat, asphaltum, or other bituminous substances, a tax of ten cents per gallon: Provided, That distillers and refiners of illuminating, lubricating, or other mineral oil, naphtha, benzine, benzole, or gasoline, shall be subject to all the provisions of law applicable to distillers of spirits, with regard to special taxes, bonds, returns, assessments, removing to and withdrawing from warehouses, liens, penalties, forfeitures, drawbacks, and all other provisions designed for the purpose of ascertaining the quantity distilled, and securing the payment of taxes, so far as the same may, in the judgment of the commissioner of internal revenue, and under regulations prescribed by him, be deemed necessary for that purpose: And provided further, That distillers and refiners of coal or mineral oil, whose product shall not exceed twenty-five barrels per day, on a monthly average, shall not be required to make returns oftener than once in thirty days.

On spirits of turpentine, ten cents per gallon.

On coffee, roasted or ground, on all ground spices and dry mustard, and upon all articles intended for use as substitutes for or as adulterations of coffee, spices, or mustard, and upon all compounds and mixtures prepared for sale, or intended for use and sale as coffee, spices, or mustard, or as substitutes therefor, one cent per pound: Provided, That the exemption of one thousand dollars in annual value of product manufactured shall not apply to any of the above-specified articles mentioned in this paragraph.

On molasses produced from the sugar-cane, and not from sorghum or imphee, a tax of three cents per gallon.

On syrup of molasses or sugar-cane juice, when removed from the plantation, concentrated molasses or melado, and cistern bottoms, of sugar produced from the sugar-cane and not made from sorghum or imphee, a tax of three-fourths of one cent per pound.

On sugars not above number twelve Dutch standard in color, produced from the sugar-cane and not from sorghum or imphee, other than those produced by the refiner, a tax of one cent per pound.

On sugars above number twelve and not above number eighteen Dutch standard in color, produced directly from the sugar-cane and not from sorghum or imphee, a tax of one and a half cent per pound.

On sugar above number eighteen Dutch standard in color, produced directly from the sugar-cane and not from sorghum or imphee, a tax of two cents per pound.

On the gross amount of the sales of sugar refiners, including all the products of their manufactories or refineries, a tax of two and one half of one per centum ad valorem: Provided, That every person shall be regarded as a sugar refiner, and pay the taxes required by law, whose business it is to advance the quality and value of sugar upon which a tax or duty has been paid, by melting and recrystallization, or by liquoring, claying, or other washing process, or by any other chemical or mechanical means, or who shall by boiling or other process advance the quality or value of molasses, concentrated molasses, or melado, upon which a tax or duty has been paid.

On sugar candy and all confectionery made wholly or in part of sugar,
and confectionery.

Chocolate and cocoa.
Gun cotton.
Gunpowder and all explosive substances, &c.

Post, p. 474.

Varnish or japan.

Gin and gelatine.

Glue and cement.

Photographs, ambrotypes, &c.

Wood screws.

Clocks and timepieces.

Soaps valued at above three cents a pound.
Perfumed soaps.

Uncompounded chemical productions.

Essential oils.

Furniture and other articles of wood.

When tax to be only on increased value.

Salt.

Scales, pumps, &c.

Tin-ware.

Iron, advanced beyond muck-bar, &c.

Ten to be 2000 pounds.

Band, hoop, and sheet iron.

When from iron on which tax has been paid.

and confectionery.

valued at not exceeding twenty cents per pound, including the tax, a tax of two cents per pound; exceeding twenty and not exceeding forty cents per pound, including the tax, a tax of four cents per pound; when exceeding forty cents per pound, including the tax, or sold by the box, package, or otherwise than by the pound, a tax of ten per centum ad valorem.

On chocolate and cocoa prepared, a tax of one and a half cent per pound.

On gun cotton, a tax of five per centum ad valorem.

On gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, not otherwise provided for, when valued at thirty-eight cents per pound or less, including the tax, a tax of five per centum ad valorem; and when valued at above thirty-eight cents per pound, including the tax, a tax of ten cents per pound.

On varnish or japan, made wholly or in part of gum copal, or other gums or substances, a tax of five per centum ad valorem.

Glue and gelatine of all descriptions, in the solid state, a tax of one cent per pound.

On glue and cement, made wholly or in part of glue, sold in the liquid state, a tax of forty cents per gallon.

On pins, solid head or other, a tax of five per centum ad valorem.

On photographs, ambrotypes, daguerreotypes, or other pictures taken by the action of light, and not hereinafter exempted from tax, a tax of five per centum ad valorem.

On screws, commonly called wood screws, a tax of ten per centum ad valorem.

On clocks and timepieces, and on clock movements, when sold without being cased, a tax of five per centum ad valorem.

On all soaps valued at above three cents per pound, not perfumed, and on salt-water soap made of cocoa-nut oil, a tax of five mills per pound.

On all perfumed soaps, a tax of three cents per pound.

On all uncompounded chemical productions not otherwise provided for, a tax of five per centum ad valorem.

On essential oils of all descriptions, a tax of five per centum ad valorem.

On all furniture, or other articles made of wood, sold in the rough or unfinished, not otherwise provided for, a tax of five per centum ad valorem: Provided, That all furniture, or other articles made of wood, previously assessed, and a tax paid thereon, shall be assessed a tax of five per centum ad valorem upon the increased value only thereof when sold in a finished condition.

On salt, a tax of three cents per one hundred pounds.

On scales, pumps, garden engines, and hydraulic rams, a tax of three per centum ad valorem.

On tin ware of all descriptions, not otherwise provided for, a tax of five per centum ad valorem.

On all iron not otherwise provided for, advanced beyond muck-bar, blooms, slabs, or loops, and not advanced beyond bars, and band, hoop, and sheet iron not thinner than number eighteen wire-gauge, and plate iron not less than one eighth of an inch in thickness, a tax of three dollars per ton: Provided, That a ton shall, for all the purposes of this act, be deemed and taken to be two thousand pounds.

On band, hoop, and sheet iron, thinner than number eighteen wire-gauge, plate iron less than one-eighth of an inch in thickness, and cut nails and spikes, not including nails, tacks, brads, or finishing nails, usually put up and sold in papers, whether in papers or otherwise, a tax of five dollars per ton: Provided, That rods, bands, hoops, sheets, plates, spikes, and nails, not including such as are usually put up in papers as before mentioned, manufactured from iron upon which the tax of three dollars has been levied and paid, shall be subject only to a tax of two dollars per ton in addition thereto, anything in this act to the contrary notwithstanding.
On steel made directly from muck-bar, blooms, slabs, or loops, a tax of three dollars per ton.

On stoves, and hollow ware in all conditions, whether rough, tinned, or enamelled, and castings of iron, not otherwise provided for, a tax of three dollars per ton.

On tubes made of wrought iron, a tax of five dollars per ton.

On steam, locomotive, and marine engines, including the boilers, and on railroad cars, a tax of five per centum ad valorem: Provided, That when the boilers, tubes, wheels, {tire[s],} axles, bells, shafts, cranks, wrist, or head-lights of such engines or cars shall have been once assessed, and a tax previously paid thereon, the amount so paid shall be deducted from the taxes on the finished engine or cars.

On boilers of all kinds, water tanks, sugar tanks, oil stills, sewing machines, lathes, tools, planes, planing machines, shadding, and gearing, a tax of five per centum ad valorem.

On railings, gates, fences, furniture, and statuary made of iron, a tax of five per centum ad valorem.

On copper and brass tubes, nails, or rivets, sheet lead, and lead pipes and shot; a tax of five per centum ad valorem.

On goat, calf, kid, sheep, horse, hog, and dog skins, tanned or dressed in the rough, a tax of five per centum ad valorem.

On goat, calf, kid, sheep, horse, hog, and dog skins, curried or finished, a tax of five per centum ad valorem: Provided, That all goat, calf, kid, sheep, horse, hog, and dog skins upon which duties or taxes have been actually paid, shall be assessed on the increased value only when curried or finished.

On patent enamelled, and japanned leather and skins of every description, a tax of five per centum ad valorem: Provided, That when a tax or duty has been paid on the leather in the rough, the tax shall be assessed and paid only on the increased value.

On oil-dressed leather, a tax of five per centum ad valorem.

On leather of all descriptions, tanned or partially tanned, in the rough, a tax of five per centum ad valorem.

On leather of all descriptions, curried or finished, a tax of five per centum ad valorem: Provided, That all leather in the rough upon which duties or taxes have been actually paid, shall be assessed on the increased value only when curried or finished.

On all liquors known or denominated as wine, not made from grapes, currants, rhubarb [rhubarb], or berries, produced by being rectified or mixed with other spirits, or into which any matter whatever may be infused to be sold as wine, or by any other name, and not otherwise provided for in this act, a tax of fifty cents per gallon: Provided, That the return, assessment, collection, and the time of collection of the taxes on such wines shall be subject to the regulations of the commissioner of internal revenue. And any person who shall willingly and knowingly sell or offer for sale any such wine made after the passage of this act, upon which the tax herein imposed has not been paid, or which has been fraudulently evaded, shall, upon conviction thereof, be subject to a fine of five hundred dollars or to imprisonment not exceeding two years at the discretion of the court.

On cloth and all textile or knitted or felted articles or fabrics of cotton, wool, or other materials, before the same has been dyed, printed, or bleached, and on all cloth painted, enamelled, shirred, tarred, varnished, or oiled, a tax of five per centum ad valorem.

On thread and twine, a tax of five per centum ad valorem.

On articles of clothing manufactured or produced for sale by weaving, knitting, or felting; on silk hats, bonnets, and hoop-skirts; on articles manufactured or produced for sale as constituent parts of clothing, or for trimming or ornamenting the same, and on articles of wearing apparel.
India rubber, manufactured or produced for sale from India-rubber, gutta-percha, or from fur, or fur skins dressed with the fur on, a tax of five per centum ad valorem: Provided, That on all articles made of fur, the value of which shall not exceed twenty dollars, a tax of two per centum only shall be paid.

On boots, shoes, and shoe-strings, a tax of two per centum ad valorem; to be paid by every person making, manufacturing, or producing for sale boots or shoes, or furnishing the materials or any part thereof, and employing others to make, manufacture, or produce them: Provided, That any boot or shoemaker making boots or shoes to order as custom work only, and not for general sale, and whose work, exclusive of the materials, does not exceed annually in value one thousand dollars, shall be exempt from this tax.

On clothing, gloves, mittens, moccasins, caps, felt hats, and other articles of dress for the wear of men, women, and children, not otherwise assessed and taxed, a tax of two per centum ad valorem, to be paid by every person making, manufacturing, or producing for sale clothing, gloves, mittens, moccasins, caps, felt hats, and other articles of dress, or furnishing the materials or any part thereof, and employing others to make, manufacture or produce them: Provided, That any tailor, or any maker of gloves, mittens, moccasins, caps, felt hats, or other articles of dress to order as custom work only, and not for general sale, and whose work, exclusive of the materials, does not exceed annually in value one thousand dollars, shall be exempt from this tax; and articles of dress made or trimmed by milliners or dressmakers for the wear of women and children shall also be exempt from this tax: Provided, That the branching into sprays, branches, or wreaths of artificial flowers, on which an impost or internal tax has already been paid, shall not be considered a manufacture within the meaning of this act.

On paper not otherwise herein provided for, a tax of three per centum ad valorem.

On all manufactures not otherwise provided for, of cotton, wool, silk, worsted, hemp, jute, India-rubber, gutta-percha, wood, glass, pottery, ware, leather, paper, iron, steel, lead, tin, copper, zinc, brass, gold, silver, horn, ivory, bone, bristles, wholly or in part, or of other materials, a tax of five per centum ad valorem: Provided, That on all cloths or articles dyed, printed, or bleached, on which a tax or duty shall have been paid before the same were so dyed, printed, or bleached, the said tax of five per centum shall be assessed only upon the increased value thereof: And provided further, That any cloth or fabrics or articles as aforesaid, when made of thread, yarn, or warps, imported, or upon which an internal tax shall have been assessed and paid, shall be assessed and pay a tax on the increased value only thereof; and when made wholly by the same manufacturer, shall be subject to a tax only of five per centum ad valorem: And provided further, That brown earthen and common stone ware shall be subject to a tax of two and one half percent ad valorem, and no more.

On all diamonds, emeralds, precious stones and imitations thereof, and all other jewelry, a tax of five per centum ad valorem: Provided, That when diamonds, emeralds, precious stones or imitations thereof, imported from foreign countries, and upon which import duties have been paid, shall be set or reset in gold or any other material, the tax shall be assessed and paid only upon the value of the settings.

On bullion in lump, ingot, bar, or otherwise, a tax of one half of one per centum ad valorem, to be paid by the assayer of the same, who shall stamp the product of the assay as the commissioner of internal revenue, under the direction of the Secretary of the Treasury, may prescribe by general regulations. And all sales, transfers, exchanges, transportation, and exportation of gold or silver assayed at any mint of the United States, or by any private assayer, unless stamped as prescribed by general regula-
tions, as aforesaid, are hereby declared unlawful; and every person or corporation who shall sell, transfer, transport, exchange, export, or deal in the same, shall be subject to a penalty of one thousand dollars for each offence, and to a fine not exceeding that sum, and to imprisonment for a term not exceeding two years nor less than six months. No jeweler, worker or artificer in gold or silver shall use either of those metals except it shall have first been stamped as aforesaid, as required by this act. No person or corporation shall export or cause to be exported from the United States any gold or silver in its natural state, not coined, assayed, or stamped, as aforesaid; and for every violation of this paragraph every offender shall be subject to the penalties herein provided: Provided, That nothing herein contained shall apply to the reworking of old gold or silver in lump, ingot, or bar, as aforesaid.

On snuff, manufactured of tobacco or any substitute for tobacco, ground, dry, or damp, pickled, scented, or otherwise, of all descriptions, when prepared for use, a tax of forty cents per pound.

On cavendish, plug, twist, and all other kinds of manufactured tobacco, not herein otherwise provided for, a tax of forty cents per pound.

On tobacco twisted by hand, or reduced from leaf into a condition to be consumed without the use of any machine or instrument, and without being pressed, sweetened, or otherwise prepared, and on fine-cut shorts, a tax of thirty cents per pound.

On fine-cut chewing tobacco, whether manufactured with the stems in or not, or however sold, whether loose, in bulk, or in rolls, packages, papers, wrappers, or boxes, a tax of forty cents per pound.

On smoking tobacco, sweetened, stemmed, or butted, a tax of forty cents per pound.

On smoking tobacco of all kinds, not sweetened, nor stemmed, nor butted, including that made of stems, or in part of stems, and imitations thereof, a tax of fifteen cents per pound.

On cigarettes, or small cigars, made of tobacco enclosed in a wrapper, or binder, and not over three and a half inches in length, and on cigars made with twisted heads, and on cheroots, and on cigars known as short-sizes, the market value of which is not over eight dollars per thousand, a tax of two dollars per thousand.

On all cheroots, cigarettes, and cigars, the market value of which is over eight dollars and not over twelve dollars per thousand, a tax of four dollars per thousand, and in addition thereto twenty per centum ad valorem on the market value thereof. And the commissioner of internal revenue, with the approval of the Secretary of the Treasury, may prescribe such regulations for the inspection and valuation of cigars, cheroots, and cigarettes, and the collection of the tax thereon, as shall, in his judgment, be most effective for the prevention of inequalities and frauds in the payment of such tax. And, in addition to other regulations, it shall be the duty of the inspector or assessor who appraises any cigars, cigarettes, or cheroots to examine the manufacturer thereof or his agent under oath, which oath shall be administered by the inspecting and appraising officer, and reduced to writing, and signed by such manufacturer or his agent, with a view to ascertaining whether such manufacturer has any interest, direct or indirect, in any sale that has been made, or any resale to be made of said cigars, cigarette-, or cheroots, by the concealment of which he seeks to obtain a false, fraudulent, or deceptive appraisement.

That section ninety-eight be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That there shall be levied and collected and paid monthly on all sales of real estate, goods, ware, merchandise, articles, or things at auction, including all sales of

unlawful, unless stamped.

Penalty for such sale, &c.

Gold and silver, unless stamped, not to be used or exported.

Penalty.

Proviso.

Snuff.

Manufactured tobacco

Tobacco twisted by hand, &c.

Fine-cut chewing tobacco, &c.

Smoking tobacco.

Cigarettes.

Cheroots, &c., the market value of which is not over $8 per 1000; over $8, and not over $12; over $12.

Commissioner to make rules for the inspection, &c. of cigars, cheroots, &c.

Manufacturer &c. to be examined upon oath, and with what view.

Section 99.

Auction sales.
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No tax on certain auction sales.

Section 98. Sales and contracts for sale by brokers, banks, or bankers.

Rate of tax.

Rate for sales by those not paying a special tax.

Memorandum of sales, &c. to be given, and proper stamps placed thereon.

Fractional part of $100 to be accounted $100.

Memorandum to show what.

Penalty for selling, &c. or delivering, or receiving stocks, &c. without a memorandum;

for delivering or receiving memorandum without stamps;

how to be recovered.

Suit to be brought within one year.

Penalty recovered, how distributed.

Penalty not to be incurred where there was no intent to evade the law.

Law in relation to stamp duties to apply hereto.

Monthly tax on sales by commercial brokers.

Monthly returns to be made to assessor.

stocks, bonds, and other securities, a duty of one tenth of one per centum on the gross amount of such sales: Provided, That no tax shall be levied under the provisions of this section upon any sales by or for judicial or executive officers making auction sales by virtue of a judgment or decree of any court, nor to public sales made by guardians, executors, or administrators.

That section ninety-nine be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That there shall be paid on all sales made by brokers, banks or bankers, whether made for the benefit of others or on their own account, the following taxes, that is to say: Upon all sales and contracts for the sale of stocks, bonds, gold and silver bullion and coin, promissory notes or other securities, a tax at the rate of one cent for every hundred dollars of the amount of such sales or contracts; and on all sales and contracts for sale negotiated and made by any person, firm or company not paying a special tax as a broker, bank or banker, of any gold or silver bullion, coin, promissory notes, stocks, bonds, or other securities, not his or their own property, there shall be paid a tax at the rate of five cents for every hundred dollars of the amount of such sales or contracts; and on every sale and contract for sale, as aforesaid, there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale or contract, on which there shall be affixed a lawful stamp or stamps in value equal to the amount of tax on such sale, to be determined by the rates of tax before mentioned; and in computing the amount of the stamp tax in any case herein provided for, any fractional part of one hundred dollars of value or amount on which tax is computed shall be accounted at one hundred dollars. And every bill or memorandum of sale, or contract of sale, before mentioned, shall show the date thereof, the name of the seller, the amount of the sale or contract, and the matter or thing to which it refers. And any person or persons liable to pay the tax as herein provided, or any one who acts in the matter as agent or broker for such person or persons, who shall make any such sale or contract, or who shall, in pursuance of any sale or contract, deliver or receive any stocks, bonds, bullion, coin, promissory notes, or other securities, without a bill or memorandum thereof as herein required, or who shall deliver or receive such bill or memorandum without the having the proper stamps affixed thereto, shall forfeit and pay to the United States a penalty of five hundred dollars for each and every offence where the tax so evaded, or attempted to be evaded, does not exceed one hundred dollars, and a penalty of one thousand dollars when such tax shall exceed one hundred dollars, which may be recovered with costs in any court of the United States of competent jurisdiction, at any time within one year after the liability to such penalty shall have been incurred; and the penalty recovered shall be awarded and distributed by the court between the United States and the informer, if there be any, as provided by law, who, in the judgment of the court, shall have first given the information of the violation of the law for which recovery is had: Provided, That where it shall appear that the omission to affix the proper stamp was not with intent to evade the provisions of this section, said penalty shall not be incurred. And the provisions of law in relation to stamp duties in schedule B of this act shall apply to the stamp taxes herein imposed upon sales and contracts of sales made by brokers, banks or bankers, and others as aforesaid. And there shall be paid monthly on all sales by commercial brokers of any goods, wares, or merchandize, a tax of one twentieth of one per centum upon the amount of such sales; and on or before the tenth day of each month, every commercial broker shall make a list or return to the assistant assessor of the district of the gross amount of such sales as aforesaid for the preceding month, in form and manner as may be prescribed by the commissioner of internal revenue: Provided,
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That in estimating sales of goods, wares, and merchandise for the purposes of this section, any sales made by or through another broker upon which a tax has been paid shall not be estimated and included as sold by the broker for whom the sale was made.

That section one hundred be amended by striking out all after the enacting clause, including schedule A, and inserting in lieu thereof the following: That there shall be levied, annually, on every carriage, gold watch, and billiard table, and on all gold or silver plate, the tax or sums of money set down in figures against the same, respectively, or otherwise specified and set forth in schedule A, hereto annexed, to be paid by the person or persons owning, possessing, or keeping the same on the first day in May, in each year, and the same shall be and remain a lien thereon until paid.

SCHEDULE A.

CARRIAGE, phaeton, carryall, rockaway, or other like carriage, and any coach, hackney coach, omnibus, or four-wheeled carriage, the body of which rests upon springs of any description, which may be kept for use, for hire, or for passengers, and which shall not be used exclusively in husbandry or for the transportation of merchandise, valued at exceeding three hundred dollars and not above five hundred dollars each, including harness used therewith, six dollars...

Carriages of like description, valued above five hundred dollars each, ten dollars...

$5.00

GOLD WATCHES, composed wholly or in part of gold or gilt, kept for use, valued at one hundred dollars or less, each, one dollar...

On gold watches, composed wholly or in part of gold or gilt, kept for use, valued at above one hundred dollars, each, two dollars...

$2.00

BILLIARD TABLES, kept for use, each, ten dollars...

$10.00

Provided, That billiard tables kept for hire, and upon which a special tax has been imposed, shall not be required to pay the tax on billiard tables kept for use, as aforesaid, anything herein contained to the contrary notwithstanding.

On plate, of gold, kept for use, per ounce Troy, fifty cents...

$0.50

On plate, of silver, kept for use, per ounce Troy, five cents...

$0.05

Provided, That silver spoons or plate of silver used by one family to an amount not exceeding forty ounces Troy belonging to any one person, plate belonging to religious societies, and souvenirs and keepsakes actually given and received as such and not kept for use, also, all premiums awarded as a token of merit by any agricultural society, corporation, or association of persons, for any purpose whatever, shall be exempt from tax.

That sections one hundred and one and one hundred and two be, and the same are hereby, repealed.

That section one hundred and three be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That every person, firm, company, or corporation owning or possessing or having the care or management of any railroad, canal, steamboat, ship, barge, canal-boat, or other vessel, or any stage-coach or other vehicle, except hacks or carriages not running on continuous routes, engaged or employed in the business of transporting passengers for hire, or in transporting the mails of the United States upon contracts made prior to August first, eighteen hundred and sixty-six, shall be subject to and pay a tax of two and one half per cent of the gross receipts from passengers and mails of such railroad, canal, steamboat, ship, barge, canal-boat, or other vessel, or such stage-coach or other vehicle: Provided, That the tax hereby imposed shall not be assessed upon receipts for the transportation of persons or mails between the United States and any foreign port; but such tax shall be assessed upon the transportation of persons from a port within the United States through a foreign territory to a port within the United States, and shall be assessed upon and collected from persons, firms, companies, or corporations within the United States, receiving hire or pay for
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Repeal of part of section 109.

Tax upon gross receipts of toll-roads, ferries, and bridges.

Post, p. 465.

Rate of tax.

Post, p. 476.

Tax not to be assessed, &c where gross receipts for twelve months do not exceed needful repairs.

Tax may be added to rate of hire until April 30, 1867.

Post, p. 475.

Where the addition is only the fraction of a cent.

Section 107. Tax on gross receipts of telegraphic lines.

Rate of tax.

Section 110. Tax of one twenty-fourth of one per cent on average amount of deposits subject to draft; upon capital employed in banking; upon circulation.

such transportation of persons or mails; and so much of section one hundred and nine as requires returns to be made of receipts hereby exempted from tax when derived from transporting property for hire is hereby repealed: Provided also, That any person or persons, firms, companies, or corporations owning, possessing, or having the care or management of any toll-road, ferry, or bridge, authorized by law to receive toll for the transit of passengers, beasts, carriages, teams, and freight of any description, over such toll-road, ferry, or bridge, shall be subject to and pay a tax of three per cent of the gross amount of all their receipts of every description; but when the gross receipts of any such bridge or toll-road, for and during any term of twelve consecutive calendar months, shall not exceed the amount necessarily expended during said term to keep such bridge or road in repair, no tax shall be assessed upon such receipts during the month next following any such term: Provided further, That all such persons, companies, and corporations shall, until the thirtieth day of April, eighteen hundred and sixty-seven, have the right to add the tax imposed hereby to their rates of fare whenever their liability thereto may commence, any limitations which may exist by law or by agreement with any person or company which may have paid or be liable to pay such fare to the contrary notwithstanding. And whenever the addition to any fare shall amount only to the fraction of one cent, any person, or company, liable to the tax of two and a half per cent, may add to such fare one cent in lieu of such fraction; and such person or company shall keep for sale, at convenient points, tickets in packages of twenty and multiples of twenty, to the price of which only an amount equal to the revenue tax shall be added: And provided further, That no tax under the foregoing provisions of this section shall be assessed upon any person, firm, company, or corporation, whose gross receipts do not exceed one thousand dollars per annum: And provided further, That all boats, barges, and flats not used for carrying passengers, nor propelled by steam or sails, which are floated or towed by tug-boats or horses, and used exclusively for carrying coal, oil, minerals, or agricultural products to market, shall be required hereafter, in lieu of enrolment fees or tonnage tax, to pay an annual special tax, for each and every such boat of a capacity exceeding twenty-five tons, and not exceeding one hundred tons, five dollars; and when exceeding one hundred tons, as aforesaid, shall be required to pay ten dollars; and said tax shall be assessed and collected as other special taxes provided for in this act.

That section one hundred and seven be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any person, firm, company, or corporation owning or possessing or having the care or management of any telegraphic line by which telegraphic despatches or messages are received or transmitted, shall be subject to and pay a tax of three per cent on the gross amount of all their receipts of every description; subject to payment by check or draft, or represented by certificates of deposit or otherwise, whether payable on demand or at some future day, with any person, bank, association, company, or corporation engaged in the business of banking; and a tax of one-twelfth of one per cent each month, as aforesaid, upon the capital of any bank, association, company, or corporation, and on the capital employed by any person in the business of banking beyond the average amount invested in United States bonds; and a tax of one-twelfth of one per cent each month upon the average amount of circulation issued by any bank, association, corporation, company, or person, including as circulation all certi-
fled checks and all notes and other obligations calculated or intended to circulate or to be used as money, but not including that in the vault of the bank, or redeemed and on deposit for said bank; and an additional tax of one sixth of one per centum, each month, upon the average amount of such circulation, issued as aforesaid, beyond the amount of ninety per centum of the capital of any such bank, association, corporation, company, or person. And a true and accurate return of the amount of circulation, of deposit and of capital, as aforesaid, and of the amount of notes of persons, State banks or State banking associations, paid out by them for the previous month, shall be made and rendered monthly by each of such banks, associations, corporations, companies, or persons to the assessor of the district in which any such bank, association, corporation, or company may be located, or in which such person has his place of business, with a declaration annexed thereto, and the oath or affirmation of such person, or of the president or cashier of such bank, association, corporation, or company, in such form and manner as may be prescribed by the commissioner of internal revenue, that the same contains a true and faithful statement of the amounts subject to tax as aforesaid; and for any refusal or neglect to make or to render return and payment, any such bank, association, corporation, company, or person so in default, shall be subject to and pay a penalty of two hundred dollars, besides the additional penalty and forfeitures in other cases provided by law; and the amount of circulation, deposit, capital, and notes of persons, State banks and banking associations paid out, as aforesaid, in default of the proper return, shall be estimated by the assessor or assistant assessor of the district as aforesaid, upon the best information he can obtain, and every such penalty may be recovered for the use of the United States in any court of competent jurisdiction. And in the case of banks with branches, the tax herein provided for shall be assessed upon the circulation of each branch, severally, and the amount of capital of each branch shall be considered to be the amount allotted to such branch; and so much of an act entitled "An act to provide ways and means for the support of the government," approved March three, eighteen hundred and sixty-three, as imposes any tax on banks, their circulation, capital, or deposits, other than is herein provided, is hereby repealed: Provided, That this section shall not apply to associations which are taxed under and by virtue of the act "to provide a national currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof." And the deposits in associations or companies known as Provident Institutions, Saving Banks, Savings Funds, or Savings Institutions, having no capital stock and doing no other business than receiving deposits to be loaned or invested for the sole benefit of the parties making such deposits, without profit or compensation to the association or company, shall be exempt from tax on so much of their deposits as they have invested in securities of the United States, and on all deposits less than five hundred dollars made from the name of any one person, and the returns required to be made by such Provident Institutions and Savings Banks after July, eighteen hundred and sixty-six, shall be made on the first Monday of January and July of each year, in such form and manner as may be prescribed by the commissioner of internal revenue.

That section one hundred and eleven be amended by inserting after the words "proprietors, managers, or agents of lotteries," the words: "and all lottery ticket dealers."

That section one hundred and fourteen be amended by inserting after the word "periodically," in the first sentence of said section, the words: or otherwise, or publishing any guide, almanac, catalogue, directory, or any other paper or book.

That section one hundred and sixteen be amended by inserting after the words "on the excess over five thousand dollars," the following:

Circulation to include what. Additional tax on average circulation above 90 per cent of capital.

Return of circulation, deposits, and capital to be made monthly;

Penalty for refusal or neglect to make returns or payment.

Penalty, how recovered.

Tax, how assessed upon banks with branches.

Repeal of law, imposing any different tax on banks, &c.

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This section not to apply to National banks.

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Savings banks to be exempt from tax on deposits invested in United States securities.

Deposits of less than $500 in the name of any one person exempt. Returns, when to be made.

Section 111. Lottery ticket dealers

Section 114.

Section 116. Persons out of the United State
and not citizens, a like tax shall be levied, collected, and paid annually upon the gains, profits, and income of every business, trade, or profession carried on in the United States by persons residing without the United States, not citizens thereof.

That section one hundred and nineteen be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That the taxes on incomes herein imposed shall be levied on the first day of May, and be due and payable on or before the thirtieth day of June, in each year, until and including the year eighteen hundred and seventy, and no longer; and to any sum or sums annually due and unpaid after the thirtieth of June, as aforesaid, and for ten days after notice and demand thereof by the collector, there shall be levied, in addition thereto, the sum of ten per centum on the amount of duties unpaid, as a penalty, except from the estates of deceased or insolvent persons.

Section 129. Tax on dividends of banks, trust companies, savings institutions, and insurance companies. Rate of tax.

Same tax on addition to surplus or contingent funds. Tax to be withheld from all payments on account of such dividends. Return to be made to assessor and tax to be paid within what time; to contain what; how to be verified.

Penalty for default in making return.

In default of return or payment, assessment and collection how to be made. Tax on dividends of life insurance companies, when due. What not to be considered dividends in life insurance companies and savings banks.

Section 130. Tax on dividends, and interest on bonds.
interest, or any such company that may have declared any dividend in
scrip or money due or payable to its stockholders, including non-residents,
whether citizens or aliens, as part of the earnings, profits, income, or gains,
of such company, and all profits of such company carried to the account
of any fund, or used for construction, shall be subject to and pay a tax of
five per centum on the amount of all such interest, or coupons, dividends,
or profits, whenever and wherever the same shall be payable, and to
whosoever party or person the same may be payable, including non-resi-
dents, whether citizens or aliens; and said companies are hereby author-
ized to deduct and withhold from all payments on account of any interest,
or coupons, and dividends, due and payable as aforesaid, the tax of five
per centum; and the payment of the amount of said tax so deducted
from the interest, or coupons, or dividends, and certified by the president
or treasurer of said company, shall discharge said company from that
amount of the dividend, or interest, or coupon on the bonds or other evid-
ences of their indebtedness so held by any person or party whatever, ex-
cept where said companies may have contracted otherwise. And a list or
return shall be made and rendered to the assessor or assistant assessor on
or before the tenth day of the month following that in which said interest,
coupons, or dividends become due and payable, and as often as every six
months; and said list or return shall contain a true and faithful account
of the amount of tax, and there shall be annexed thereto a declaration of
the president or treasurer of the company, under oath or affirmation in
form and manner as may be prescribed by the commissioner of internal
revenue, that the same contains a true and faithful account of said tax.
And for any default in making or rendering such list or return, with the
declaration annexed, or of the payment of the tax as aforesaid, the com-
pany making such default shall forfeit as a penalty the sum of one thou-
sand dollars; and in case of any default in making or rendering said list
or return, or of the payment of the tax or any part thereof, as aforesaid,
the assessment and collection of the tax and penalty shall be made accord-
ing to the provisions of law in other cases of neglect or refusal.
That section one hundred and twenty-two be further amended by add-
ing thereto the following proviso: Provided, That whenever any of the
companies mentioned in this section shall be unable to pay the interest on
their indebtedness, and shall in fact fail to pay such interest, that in such
cases the tax levied by this section shall not be paid to the United States
until said company resume the payment of interest on their indebted-
ness.
That section one hundred and twenty-three be amended by striking out
all after the enacting clause and inserting in lieu thereof the following.
That there shall be levied, collected, and paid on all salaries of officer-
or payments for services to persons in the civil, military, naval, or other
employment or service of the United States, including senators and rep-
resentatives and delegates in Congress, when exceeding the rate of six
hundred dollars per annum, a tax of ten per centum on the excess above
the said six hundred dollars, and a tax of ten per cent on the excess
over five thousand dollars; and it shall be the duty of all paymasters and
all disbursing officers, under the government of the United States, or per-
sons in the employ thereof, when making any payment to any officers or
persons as aforesaid, or upon settling and adjusting the accounts of such
officers or persons, to deduct and withhold the aforesaid tax, and they
shall, at the same time, make a certificate stating the name of the officer
or person from whom such deduction was made, and the amount thereof,
which shall be transmitted to the office of the commissioner of internal
revenue, and entered as part of the internal tax and the pay-roll, rece-
ipts, or account of officers or persons paying such tax, as aforesaid, shall
be made to exhibit the fact of such payment. And it shall be the duty
of the several auditors of the Treasury Department, when auditing the
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auditing accounts of paymasters, &c., to require proof that taxes have been deducted and paid over.

Payments of prize money to be deemed income from salaries; but not payments to laborers, &c.

Section 134. Legacies &c. to minor child, unless over $1,000, to be exempt from tax, if over $1,000, excess to be taxed.

Section 135. When tax on legacies, &c. is due.

Executors, &c. to give notice to assessors, &c.

Penalty for neglect, &c.

Tax to be deducted from particular legacy.

Section 137.

Section 138. Persons having in trust, &c. any disposition of real estate subject to tax, to notify assessor.

Penalty for wilful neglect, &c.

Section 145.

Section 147. Persons liable to pay tax for succession to give notice to assessor, and render a true account in thirty days.

accounts of any paymaster or disbursing officer, or any officer withholding his salary from moneys received by him, or when settling or adjusting the accounts of any such officer, to require evidence that the taxes mentioned in this section have been deducted and paid over to the commissioner of internal revenue, or other officer authorized to receive the same: Provided, That payments of prize money shall be regarded as income from salaries, and the tax thereon shall be adjusted and collected in like manner: Provided further, That this section shall not apply to payments made to mechanics or laborers employed upon public works.

That section one hundred and twenty-four be amended by adding thereunto the following additional proviso: Provided further, That any legacy or share of personal property passing as aforesaid to a minor child of the person who died possessed as aforesaid shall be exempt from taxation under this section, unless such legacy or share shall exceed the sum of one thousand dollars, in which case the excess only above that sum shall be liable to such taxation.

That section one hundred and twenty-five be amended by inserting after the words "the tax or duty aforesaid," the following: "shall be due and payable whenever the party interested in such legacy or distributive share of property or interest aforesaid shall become entitled to the possession or enjoyment thereof, or to the beneficial interest in the profits accruing therefrom, and the same"; and by inserting after the words "United States," in the first sentence of said section, the words: "And every administrator, executor, or trustee, having in charge or trust any legacy or distributive share, as aforesaid, shall give notice thereof in writing to the assessor or assistant assessor of the district where the deceased grantor or bargainer last resided, within thirty days after he shall have taken charge of such trust;" and by inserting after the words "shall make out such lists and valuation as in other cases of neglect or refusal, and as for the duty thereon," the words: "And in case of wilful neglect, refusal, or false statement by such executor, administrator, or trustee, as aforesaid, he shall be liable to a penalty of not exceeding one thousand dollars, to be recovered with costs of suit." Any tax paid under the provisions of sections one hundred and twenty-four and one hundred and twenty-five shall be deducted from the particular legacy or distributive share on account of which the same is charged.

That section one hundred and thirty-seven be amended by inserting after the words "imposed by this act," the words: "shall be assessed in the collection district where the estate is situate, and." That section one hundred and thirty-eight be amended by adding thereto the words: "And every such person having in charge or trust any disposition of real estate or interest therein subject to tax under this act, shall give notice thereof in writing to the assessor or assistant assessor of the district where the estate is situate, within thirty days from the time when he shall have taken charge of such trust, and prior to any distribution of said real estate, together with a description and value thereof, and the names of the persons interested therein; and for wilful neglect or refusal so to do, shall be liable to a penalty of not exceeding five hundred dollars, to be recovered with costs of suit." Any tax paid under the provisions of sections one hundred and twenty-four and one hundred and twenty-five shall be deducted from the particular legacy or distributive share on account of which the same is charged.

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a full and true account of said succession for the tax whereon he shall be accountable, and of the value of the real estate involved, and of the deductions claimed by him, together with the names of the successor and predecessor and their relation to each other, and all such other particulars as shall be necessary or proper for enabling the assessor or assistant assessor fully and correctly to ascertain the taxes due; and the assessor or assistant assessor, if satisfied with such account and estimate as originally delivered, or with any amendments that may be made therein upon his requisition, may assess the succession tax on the footing of such account and estimate; but it shall be lawful for the assessor or assistant assessor, if dissatisfied with such account, or if no account and estimate shall be delivered to him, to assess the tax on the best information he can obtain, subject to appeal as hereinafter provided; and if the tax so assessed shall exceed the tax assessable according to the return made to the assessor or assistant assessor, and with which he shall have been dissatisfied, or if no account and estimate has been delivered, and if no appeal shall be taken against such assessment, then it shall be in the discretion of the assessor, having regard to the merits of each case, to assess the whole or any part of the expenses incident to the taking of such assessment, in addition to such tax; and if there shall be an appeal against such last-mentioned assessment, then the payment of such expenses shall be in the discretion of the commissioner of internal revenue.

That section one hundred and forty-eight be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

That if any person required to give any such notice or deliver such account, as aforesaid, shall wilfully neglect to do so within the time required by law, he shall be liable to pay the United States a sum equal to ten per centum upon the amount of tax payable by him; and if any person liable to pay any tax in respect of his succession shall, after such tax shall have been finally ascertained, wilfully neglect to do so within ten days after being notified, he shall also be liable to pay to the United States a sum equal to ten per centum upon the amount of tax so unpaid, at the same time and in the same manner as the tax to be collected.

That section one hundred and fifty be, and the same is hereby, repealed.

That section one hundred and fifty-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

That it shall not be lawful to record any instrument, document, or paper required by law to be stamped, unless a stamp or stamps of the proper amount shall have been affixed, and cancelled in the manner required by law; and the record of any such instrument, upon which the proper stamp or stamps aforesaid shall not have been affixed and cancelled as aforesaid, shall be utterly void, and shall not be used in evidence.

That section one hundred and fifty-four be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

That all official instruments, documents, and papers issued by the officers of the United States government, or by the officers of any State, county, town, or other municipal corporation, shall be, and hereby are, exempt from taxation: Provided, That it is the intent hereby to exempt from liability to taxation such State, county, town, or other municipal corporation, in the exercise only of functions strictly belonging to them in their ordinary governmental and municipal capacity.

That section one hundred and fifty-five be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That if any person shall forge or counterfeit, or cause or procure to be forged or counterfeited, any stamp, die, plate, or other instrument, or any part of any stamp, die, plate, or other instrument, which shall have been so provided, or may hereafter be provided, made, or used in pursuance of this
Penalty for forging any stamp upon any paper, &c. or stamping, &c. with intent to defraud;

for knowingly uttering or selling paper, &c. with forged stamp;

for knowingly using or permitting the use of forged stamp, or fraudulently removing stamp, or impression of stamp, from paper, &c.;

for fraudulently using, &c. stamp, cut, &c. from any other paper required to be stamped;

for wilfully removing or altering the cancelling of a stamp, &c.;

for knowingly buying or selling, or having in possession washed, &c. stamps.

Forfeiture.
Fine or imprisonment, or both.

Section 138
Persons making, issuing, receiving, or paying, &c. any instrument, note, &c. required to be stamped, without having thereon a stamp cancelled, with intent to evade the law, to forfeit § 50, and instrument, &c. to be void.

act, or shall forge, counterfeit, or resemble, or cause or procure to be forged, counterfeited, or resembled, the impression, or any part of the impression, of any such stamp, die, plate, or other instrument, as aforesaid, upon any vellum, parchment, or paper, or shall stamp or mark, or cause or procure to be stamped or marked, any vellum, parchment, or paper, with any such forged or counterfeited stamp, die, plate, or other instrument, or part of any stamp, die, plate, or other instrument, as aforesaid, with intent to defraud the United States of any of the taxes hereby imposed, or any part thereof; or if any person shall utter, or sell, or expose to sale, any vellum, parchment, paper, article, or thing, having thereupon the impression of any such counterfeited stamp, die, plate, or other instrument, or any part of any stamp, die, plate, or other instrument, or any such forged, counterfeited, or resembled impression, or part of impression, as aforesaid, knowing the same to be forged, counterfeited, or resembled; or if any person shall knowingly use or permit the use of any stamp, die, plate, or other instrument, which shall have been so provided, made, or used, as aforesaid, with intent to defraud the United States; or if any person shall fraudulently cut, tear, or remove, or cause or procure to be cut, torn, or removed, the impression of any stamp, die, plate, or other instrument, which shall have been provided, made, or used, in pursuance of this act, from any vellum, parchment, or paper, or any instrument or writing charged or chargeable with any of the taxes imposed by law; or if any person shall fraudulently use, join, fix, or place, or cause to be used, joined, fixed, or placed, to, with, or upon any vellum, parchment, paper, or any instrument or writing charged or chargeable with any of the taxes hereby imposed, any adhesive stamp, or the impression of any stamp, die, plate, or other instrument, which shall have been provided, made, or used, in pursuance of law, and which shall have been cut, torn, or removed from any vellum, parchment, or paper, or any instrument or writing charged or chargeable with any of the taxes imposed by law; or if any person shall wilfully remove or cause to be removed, alter, or cause to be altered, the cancelling or defacing marks on any adhesive stamp, with intent to use the same, or to cause the use of the same after it shall have been once used, or shall knowingly or wilfully sell or buy such washed or restored stamps, or offer the same for sale, or give or expose the same to any person for use, or knowingly use the same, or prepare the same with intent for the further use thereof; or if any person shall knowingly and without lawful excuse (the proof whereof shall lie on the person accused) have in his possession any washed, restored, or altered stamps, which have been removed from any vellum, parchment, paper, instrument, or writing, then, and in every such case, every person so offending, and every person knowingly and wilfully aiding, abetting, or assisting in committing any such offence as aforesaid, shall, on conviction thereof, forfeit the said counterfeit stamps and the articles upon which they are placed, and be punished by fine not exceeding one thousand dollars, or by imprisonment and confinement to hard labor not exceeding five years, or both, at the discretion of the court.

That section one hundred and fifty-eight be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That any person or persons who shall make, sign, or issue, or who shall cause to be made, signed, or issued, any instrument, document, or paper of any kind or description whatsoever, or shall accept, negotiate, or pay, or cause to be accepted, negotiated, or paid, any bill of exchange, draft, or order, or promissory note for the payment of money, without the same being duly stamped, or having thereupon an adhesive stamp for denoting the tax chargeable thereon, and cancelled in the manner required by law, with intent to evade the provisions of this act, shall, for every such offence, forfeit the sum of fifty dollars, and such instrument, document, or paper, bill, draft, order, or note, not being stamped according to law, shall be
deemed invalid and of no effect: Provided, That the title of a purchaser of land by deed duly stamped shall not be defeated or affected by the want of a proper stamp on any deed conveying said land by any person from, through, or under whom his grantor claims or holds title: And provided further, That thereafter, in all cases where the party has not affixed to any instrument the stamp required by law thereon, at the time of making or issuing the said instrument, and he or they, or any party having an interest therein, shall be subsequently desirous of affixing such stamp to said instrument, or if said instrument be lost, to a copy thereof, he or they shall appear before the collector of the revenue of the proper district, who shall, upon the payment of the price of the proper stamp required by law, and of a penalty of fifty dollars, and where the whole amount of the tax denoted by the stamp required shall exceed the sum of fifty dollars, on payment also of interest, at the rate of six per centum on said tax from the day on which such stamp ought to have been affixed, affix the proper stamp to such instrument or copy, and note upon the margin thereof the date of his so doing, and the fact that such penalty has been paid; and the same shall thereupon be deemed and held to be as valid, to all intents and purposes, as if stamped when made or issued: And provided further, That where it shall appear to said collector, upon oath or otherwise, to his satisfaction that any such instrument has not been duly stamped at the time of making or issuing the same, by reason of accident, mistake, inadvertence, or urgent necessity, and without any wilful design to defraud the United States of the stamp, or to evade or delay the payment thereof, then and in such case, if such instrument, or, if the original be lost, a copy thereof duly certified by the officer having charge of any records in which such original is required to be recorded, or otherwise duly proven to the satisfaction of the collector, shall, within twelve calendar months after the first day of August, eighteen hundred and sixty-six, or within twelve calendar months after the making or issuing thereof, brought to the said collector of revenue to be stamped, and the stamp tax chargeable thereon shall be paid, it shall be lawful for the said collector to remit the penalty aforesaid, and to cause such instrument to be duly stamped. And when the original instrument, or a certified or duly proved copy thereof, as aforesaid, duly stamped so as to entitle the same to be recorded, shall be presented to the clerk, register, recorder, or other officer having charge of the original record, it shall be lawful for such officer, upon the payment of the fee legally chargeable for the recording thereof, to make a new record thereof, or to note upon the original record the fact that the error or omission in the stamping of said original instrument has been corrected pursuant to law; and the original instrument or such certified copy or the record thereof may be used in all courts and places in the same manner and with like effect as if the instrument had been originally stamped: And provided further, That in all cases where the party has not affixed the stamp required by law upon any instrument made, signed, or issued, at a time when and at a place where no collection district was established, it shall be lawful for him or them, or any party having an interest therein, to affix the proper stamp thereto, or if the original be lost, to a copy thereof; and the instrument or copy to which the proper stamp has been thus affixed prior to the first day of January, one thousand eight hundred and sixty-seven, and the record thereof, shall be as valid, to all intents and purposes, as if stamped by the collector in the manner hereinafore provided. But no right acquired in good faith before the stamping of such instrument or copy thereof, and the recording thereof, as herein provided, if such record be required by law, shall in any manner be affected by such stamping as aforesaid.

That section one hundred and sixty-three be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That hereafter no deed, instrument, document, writing, or paper, required
stamped, to be hereafter admitted in evidence, until proper stamps are affixed. Documents made in a foreign country for use here, to pay same tax as though made here.

Who to affix stamp.

Section 165.

Penalty for making, selling, or removing for sale, &c., drugs, preparations, matches, &c., without affixing proper stamp.

Section 169.

Persons offering for sale any article named in schedule C, to be deemed the manufacturers.

Such articles, if imported, to pay stamp tax.

Provided, That when such imported articles, except playing cards, lucifer or friction matches, cigar lights, and wax tapers, shall be sold in the original and unbroken package in which the bottles or other enclosures were packed by the manufacturer, the person so selling said articles shall not be subject to any penalty on account of the want of the proper stamp.

Where there are several signatures to the same paper "money" to include drafts.

Assignments and transfers of mortgages.

by law to be stamped, which has been signed or issued without being duly stamped, or with a deficient stamp, nor any copy thereof, shall be recorded, or admitted, or used as evidence in any court until a legal stamp or stamps, denoting the amount of tax, shall have been affixed thereto, as prescribed by law: Provided, That any power of attorney, conveyance, or document of any kind, made or purporting to be made in any foreign country to be used in the United States, shall pay the same tax as is required by law on similar instruments or documents when made or issued in the United States; and the party to whom the same is issued, or by whom it is to be used, shall, before using the same, affix thereon the stamp or stamps indicating the tax required.

That section one hundred and sixty-five be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That if any person, firm, company, or corporation shall make, prepare, and sell, or remove for consumption or sale, drugs, medicines, preparations, compositions, articles, or things, including perfumery, cosmetics, lucifer or friction matches, cigar lights, or wax tapers, and playing cards, and also including prepared mustards, preserved meats, fish, shell-fish, fruits, vegetables, sauces, syrups, jams, and jellies, when packed or sealed in cans, bottles, or other single packages, whether of domestic manufacture or imported, upon which a duty or tax is imposed by law, as enumerated and mentioned in schedule C, without affixing thereto an adhesive stamp or label denoting the tax required.

Provided, That when more than one signature is affixed to the same paper, one or more stamps may be affixed thereto representing the whole amount of the stamp required for such signatures; and that the term money, as herein used, shall be held to include drafts and other instruments given for the payment of money.

That schedule B, preceding section one hundred and seventy-one, be amended by inserting, immediately preceding the proviso relating to stamps on mortgages, the following: Upon every assignment or transfer
of a mortgage the same stamp tax upon the amount remaining unpaid thereon as is herein imposed upon a mortgage for the same amount. Also by striking out the words "mortgage or" in said proviso. Also by inserting the words "domestic and inland bills of lading and" after "than" and before "those" in the first line of said schedule.

That schedule B be amended, under the head of contract, by striking out the words following: "Stocks, bonds," and "notes of hand." Also, by inserting under the head of contract, after the words "for each note or memorandum of sale, ten cents," the words following: Bill or memorandum of the sale or contract for the sale of stocks, bonds, gold or silver bullion, coin, promissory notes, or other securities, shall pay a stamp tax at the rate provided in section ninety-nine.

That schedule C be amended by striking out the paragraph in relation to photographs.

That schedule C be further amended by striking out the paragraph relating to cigar lights and wax tapers, and inserting in lieu thereof the following: For wax tapers, double the rates herein imposed upon friction or lucifer matches; on cigar lights, made in part of wood, wax, glass, paper, or other materials, in parcels or packages containing twenty-five lights or less in each parcel or package, one cent; when in parcels or packages containing more than twenty-five and not more than fifty lights, two cents; for every additional twenty-five lights or fractional part of that number, one cent additional; and by striking out all after the words "playing cards," and inserting in lieu thereof the following: —

For and upon every pack, not exceeding fifty-two cards in number, irrespective of price or value, five cents;

For and upon every can, bottle, or other single package, containing meats, fish, shell-fish, fruits, vegetables, sauces, sirups, prepared mustard, jams or jellies contained therein and packed or sealed, made, prepared, and sold, or offered for sale, or removed for consumption in the United States, on and after the first day of October, eighteen hundred and sixty-six, when such can, bottle, or other single package, with its contents shall not exceed two pounds in weight, the sum of one cent ($0.01).

When such can, bottle, or other single package, with its contents, shall exceed two pounds in weight, for every additional pound or fractional part thereof, one cent ($0.01).

That section one hundred and seventy-one be amended by adding thereto the following proviso: Provided also, That no claim for drawback on any articles of merchandise exported prior to June thirtieth, eighteen hundred and sixty-four, shall be allowed unless presented to the commissioner of internal revenue within three months after this amendment takes effect.

That section one hundred and seventy-nine be amended by striking out all after the enacting clause and inserting in lieu thereof the following: Collectors to prosecute for the recovery of any sum or sums that may be forfeited; and all fines, penalties, and forfeitures which may be imposed or incurred shall and may be sued for and recovered, where not otherwise provided, in the name of the United States, in any proper form of action, or by any appropriate form of proceeding, before any circuit or district court of the United States for the district within which said fine, penalty, or forfeiture may have been incurred, or before any court of competent jurisdiction. And where not otherwise provided for, such share as the Secretary of the Treasury shall, by general regulations, provide, not exceeding one moiety, nor more than five thousand dollars in any one case, shall be to the use of the person, to be ascertained by the court which shall have imposed or decreed any such fine, penalty, or forfeiture, who shall first inform of the cause, matter, or thing whereby such fine, penalty, or forfeiture shall have been imposed, or before any court of competent jurisdiction. Where suits may be brought

What amount to be paid to informer, when there has been a judgment;

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be exempt from five per centum of the chartered or declared capital existing at the time the same was issued, said circulation shall be free from taxation; and

not over five per cent of capital.

the Eachital as it was when bank ceasing to exist.

the tax of ten per cent on the public debt, and for other purposes,' approved June thirty, eighteen hundred and sixty-five, be, and the same are hereby, repealed.

The several circuit and district courts of the United States shall have jurisdiction of all offences against any of the provisions of this act committed within their several districts: Provided, That whenever in any civil action for a penalty the former may be a witness for the prosecution, the party against whom such penalty is claimed may be and shall be admitted as a witness on his own behalf. Every person who shall receive any money or other valuable thing under a threat of informing or as a consideration for not informing against any violation of this act, shall, on conviction thereof, be punished by a fine not exceeding two thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court, with costs of prosecution.

Section 9, [his.] And be it further enacted, That sections two, five, eight, nine, ten, and twelve of the act entitled "An act to amend an act entitled 'An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,' approved June thirtieth, eighteen hundred and sixty-four," approved March third, eighteen hundred and sixty-five, and sixty-five, be, and the same are hereby, repealed.

That section six of the act of March third, eighteen hundred and sixty-five, entitled "An act to amend an act entitled 'An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,' approved June thirty, eighteen hundred and sixty-four," approved March third, eighteen hundred and sixty-five, be, and the same are hereby, repealed.

That section fourteen of the same act shall be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That the capital of any State bank or banking association which has ceased or shall cease to exist, or which has been or shall be converted into a national bank, shall be assumed to be the capital as it was when bank ceased to exist.

That the capital of any State bank or banking association which has ceased or shall cease to exist, or which has been or shall be converted into a national bank, shall be assumed to be the capital as it was when bank ceased to exist.

Circulation of not over five per cent of capital exempt from tax.

That the capital of any State bank or banking association which has ceased or shall cease to exist, or which has been or shall be converted into a national bank, shall be assumed to be the capital as it was when bank ceased to exist.

Circulation of not over five per cent of capital exempt from tax.

Banks ceasing to issue circulation.
of its outstanding circulation, to be redeemed at par, under such regulations as the Secretary of the Treasury shall prescribe, it shall be exempt from any tax upon such circulation; and whenever any State bank or banking association has been converted into a national banking association, and such national banking association has assumed the liabilities of such State bank or banking association, including the redemption of its bills, by any agreement or understanding whatever with the representatives of such State bank or banking association, such national banking association shall be held to make the required return and payment on the circulation outstanding, so long as such circulation shall exceed five per centum of the capital before such conversion of such State bank or banking association.

That an act entitled "An act to declare the meaning of certain parts of the internal revenue act approved June thirty, eighteen hundred and sixty-four, and for other purposes," approved March tenth, eighteen hundred and sixty-six, be amended by striking out sections three, four, and five of said act, and inserting in lieu thereof the following: That it shall be the duty of all persons required to make returns or lists of income or articles or objects charged with an internal tax, to declare in such returns or lists whether the several rates and amounts therein contained are stated according to their values in legal tender currency or according to their values in coined money; and in case of neglect or refusal so to declare to the satisfaction of the assistant assessor receiving such returns or lists, such assistant assessor is hereby required to make returns or lists for such persons so neglecting or refusing, as in cases of persons neglecting or refusing to make the returns or lists required by the acts aforesaid, and to assess the tax thereon, and to add thereto the amount of penalties imposed by law in cases of such neglect or refusal. And whenever the rates and amounts contained in the returns or lists aforesaid shall be stated in coined money, it shall be the duty of each assessor receiving the same to reduce such rates and amounts to their equivalent in legal tender currency, according to the value of such coined money in said currency for the time covered by said returns. And the lists required by law to be furnished to collectors by assessors shall in all cases contain the several amounts of taxes assessed, estimated, or valued in legal tender currency only.

SEC. 10. And be it further enacted, That from and after the passage of this act the articles and products hereinafter enumerated shall be exempt from internal tax:—

Alum; aluminum; aluminous cake, patent alum, sulphate of alumina, and cobalt;
Aniline and aniline colors;
Animal charcoal, or carbon;
Anvils;
Articles manufactured in institutions for the blind, and in institutions for the deaf and dumb, which are sold to aid in their support, or the support of the pupils;
Barrels and casks, other than those used for the reception of fluids; packing boxes made of wood; and boxes of wood or paper for friction matches, cigar lights, and wax tapers;
Beeswax, crude or unrefined;
Bi-chromate and prussiate of potash;
Bleaching powders;
Blue vitriol;
Borax, and boracic acid;
Brass not more advanced than rods or sheets;
Brick, fire-brick, draining tiles, cement, drain and sewer pipes, earthen and stone water-pipes, retorts and tiles made of clay;
Bristles,
Brooms made from corn, brush, or palm-leaf;
Articles and products exempt from taxation.

Building stone of all kinds, including slate, marble, freestone, and soapstone, and rock, and ground gypsum;
Bunting and flags of the United States, and banners made of bunting of domestic manufacture;
Burrstones, millstones, and grindstones, rough or wrought;
Candle wicking;
Chronometers;
Coffins and burial cases;
Copperas;
Copper, lead, and tin, in ingots, pigs, or bars;
Copper and yellow sheathing metal, not more advanced than rods or sheets;
Crates, and grain or farm baskets made of splints;
Crucibles of all kinds;
Crutches and artificial limbs, eyes, and teeth;
Deer-skins, smoked, or not oil-dressed;
Feather beds, mattresses, palliasses, bolsterts, and pillows;
Fertilizers of all kinds;
Flasks and patterns used by founders;
Flax and the manufactures thereof;
Flavoring extracts solely for cooking purposes;
German silver in bars or sheets;
Gold leaf and gold foil;
Hemp and jute prepared for textile or felting purposes;
Hulls of ships and other vessels;
Illuminating gas manufactured by educational institutions for their own use exclusively;
India-rubber springs used exclusively for railroad cars;
Iron bridges, and castings for iron bridges;
Iron drain and sewer pipes;
Keys, actions, and strings for musical instruments;
Litharge and orange mineral;
Machines driven by horse power and used exclusively for cutting firewood, staves, and shingle bolts; and hand-saws;
Magnesium, calcined magnesia, and carbonate of magnesia;
Malleable iron castings, unfinished;
Manganese;
Masts, spars, ship and vessel blocks, and tree-nail wedges and deck plugs, cordage, ropes, and cables made of vegetable fibre;
Medicinal and mineral waters, of all kinds, sold in bottles or from fountains, and mead;
Mounting and machinery of telescopes for astronomical purposes;
Mills and machinery for the manufacture of sugar, sirup, and molasses from sorghum, imphoe, beets and corn;
Mineral coal of all kinds, and peat;
Monuments of stone of all kinds, not exceeding in value the sum of one hundred dollars: Provided, That monuments exceeding the value aforesaid, erected by public or private contributions to commemorate the service of Union soldiers who have fallen in battle, shall be exempt from taxation;
Mouldings for looking-glasses and picture-frames;
Muriatic, nitric, and acetic acids;
Nickel, quicksilver, and sodium;
Nitrate of lead;
Oakum;
Original paintings, statues, and groups of statuary and casts made thereof by the artist from the original designs;
Oxide of zinc;
Paints, painters' and paper stainers' colors;
Printing paper of all descriptions; and tarred paper for roofing and
other purposes; books, maps, charts, and all printed matter, and book-binding; paraffine; paraffine oil, not exceeding in specific gravity thirty-six degrees Baume's hydrometer, a residuum of distillation or the products thereof; lubricating oil made from crude petroleum, coal, or shale, not exceeding in specific gravity thirty-six degrees Baume's hydrometer: Provided, That such oil shall be subject to the same inspection as illuminating oil; crude petroleum, and crude oil the product of the first and single distillation of coal, shale, asphaltum, peat, or other bituminous substances;

Photographs or any other sun picture, being copies of engravings or works of art, when the same are sold by the producer at wholesale at a price not exceeding fifteen cents each, or are used for the illustration of books;

Pickle, when sold by the gallon and not contained in glass packages; pig-iron; muck bar; blooms, slabs, and loops;

Ploughs, cultivators, harrows, straw and hay cutters, planters, seed-drills, horse-rakes, hand-rakes, cotton gins, grain cradles, and winnowing-mills;

Pot and pearl ashes;

Productions of stereotypers, lithographers, engravers, and electrotypers; putty;

Quinine, morphine, and other vegetable alkaloids, and phosphorus;

Railroad iron, and railroad iron re-rolled;

Railroad chairs and fish plates; railroad, boat, and ship spikes; axe polls; iron axles; shoes for horses, mules, and oxen; rivets, horseshoe nails, nuts, washers, and bolts; vises, iron chains, and anchors; when such articles are made of wrought iron which has previously paid the tax or duty assessed thereon;

Reapers, mowers, threshing machines, and separators; corn-shellers and wooden ware; cotton and hay presses;

Repairs of articles of all kinds;

Residuums, the product of mineral, vegetable, or animal substances drawn from stills after distillation;

Roman and water cements, and lime;

Roofing slate, slabs, and tiles;

Saleratus, sal soda, caustic soda, crude soda, alumino-silicate of soda; aluminate of soda; bi-carbonate of soda; and silicate of soda;

Sails, tents, awnings, and bags made by sewing from fabrics or other articles upon which a duty or tax has been paid; and bags made of paper;

Salt petre;

Salts of tin;

Silica used in the manufacture of glass;

Soap, valued at not above three cents per pound;

Spelter;

Spindles and castings of all descriptions made specially for locks, safes, looms, spinning machines, steam engines, hot air and hot water furnaces, and sewing machines, and not sold or used for any other purposes, and upon which a tax is assessed and paid on the article of which the casting is a part;

Spokes, hubs, bows, and felloes; poles, shafts, arms, and wheels not ironed or finished for carriages or wagons; wooden handles for ploughs, and for other agricultural, household, and mechanical tools and implements; and pail and tub ears and handles; and wooden tanks, and cisterns for crude mineral oil;

Starch;

Steel, made from iron advanced beyond muck bar, blooms, slabs, or loops in ingots, bars, rails made and fitted for railroads, sheet, plate, coil, or wire, hoop-skirt wire covered or uncovered; car wheels, thimble skeins: Articles and products exempt from taxation.
Articles and pipe boxes, and springs, tire and axles made of steel used exclusively for vehicles, cars or locomotives; and clock springs, faces and hands;

Stoves, composed in part of cast iron and in part of sheet iron, or of soapstone, fire-brick, or freestone, with or without cast iron or sheet iron: Provided, That the cast and sheet iron shall have paid the tax or duty previously assessed thereon;

Sugar, molasses, or sirup made from beets, corn, sugar maple, or from sorghum, or imphee;

Sulphate of barytes;

Sulphur, flowers of sulphur, and sulphur flour;

Tar and crude turpentine;

Tin cans used for preserved meats, fish, shell-fish, fruits, vegetables, jams, jellies, paints, oils, and spices;

Umbrellas and parasols, and sticks and frames for the same;

Value of bullion used in the manufacture of wares, watches, and watchcases, and bullion prepared for the use of platers and watchmakers;

Vegetable, animal, and fish oils of all descriptions, not otherwise provided for, including red oil, oleic acid, and admixtures of the same with paraffine oil, not exceeding in specific gravity thirty-six degrees Baumé's hydrometer;

Verdigris;

Vinegar;

White and red lead;

Whiting; Paris white;

Window glass of all kinds;

Wine made of grapes, currants or other fruits, and rhubarb;

Wire made from wire less than number twenty wire gauge, upon which a tax has been assessed and paid as wire, and no manufactured wire shall pay a greater tax than that imposed on number twenty wire gauge;

Yarn and warp for weaving, braiding or manufacturing purposes exclusively;

Yeast and baking powders;

Zinc, in ingots or sheets:

Provided further, That the exemptions aforesaid shall, in all cases, be confined exclusively to said articles in the state and condition specified in the foregoing enumeration, and shall not extend to articles in any other form, nor to manufactures from said articles.

Monthly lists to be made before the tenth day of each month, and the tax paid before the last day:

Quarterly and other lists, when to be returned and paid.

Ten per cent to be added if tax is not paid when due.

Notice that tax is due, how to be given.

Demand and ten per cent additional.

Distrain.
for, as provided by law, and so much of section eighty-three of the act of
June thirtieth, eighteen hundred and sixty-four, as amended by the act of
March third, eighteen hundred and sixty-five, as relates to the time of
payment and collection of tax, is hereby repealed; and in all cases of
neglect to make such lists or returns, or in case of false and fraudulent
returns, the provisions of existing law, as amended by this act, shall be ap-
pllicable thereto.

SEC. 12. And be it further enacted, That apothecaries who manufacture,
for their own dispensation and sales to consumers and to physicians, the
medicines compounded according to the United States or other national
pharmacopoeias, or of which the full and proper formula is published in
any of the dispensatories now or hitherto in common use among physici-
ans or apothecaries, or in any pharmaceutical journal now issued by
any incorporated college of pharmacy, shall not be regarded as manufac-
turers under this act. But apothecaries and all other persons who manu-
facture for the dispensing and sales of others, or who make and advertise
any article, medicinal or otherwise, simple or compound, with any
special proprietary claim to merit, or to special advantage in use or effect,
whether such claim be based on the properties, qualities, price, or any
other distinctive or distinguishing characteristic, whether real or pre-
tended, of the articles so made and advertised, whether such article be or
be not made according to the authorities above cited in this section, shall
be regarded as manufacturers under this act.

SEC. 13. And be it further enacted, That no stamp tax shall be imposed
upon any uncompounded medicinal drug or chemical, nor upon any medi-
cine compounded according to the United States or other national phar-
macopoeia, or of which the full and proper formula is published in any of
the dispensatories now or hitherto in common use among physicians or
apothecaries, or in any pharmaceutical journal now issued by any incor-
porated college of pharmacy, when not sold or offered for sale, or adver-
tised under any other name, form, or guise than that under which they
may be severally denominated and laid down in said pharmacopoeias, dis-
pendatories, or journals as aforesaid; nor upon medicines sold to or for
the use of any person, which may be mixed and compounded for said per-
son according to the written receipt or prescription of any physician or
surgeon. But nothing in this section shall be construed to exempt from
stamp tax any medicinal articles, whether simple or compounded by any
rule, authority, or formula, published or unpublished, which are put up in
a style or manner similar to that of patent or proprietary medicines in
general, or advertised in newspapers or by public handbills for popular
sale and use, as having any special proprietary claim to merit, or to any
peculiar advantage in mode of preparation, quality, use, or effect, whether
such claim be real or pretended.

SEC. 14. And be it further enacted, That in case any goods or commod-
ities for or in respect whereof any tax is or shall be imposed, or any ma-
terials, utensils, or vessels proper or intended to be made use of for or in
the making of such goods or commodities shall be removed, or shall be
deposited or concealed in any place, with intent to defraud the United
States of such tax, or any part thereof, all such goods and commodities,
and all such materials, utensils, and vessels, respectively shall be forfeited;
and in every such case, and in every case where any goods or com-
modities shall be forfeited under this act, or any other act of Congress re-
ating to the internal revenue, all and singular the casks, vessels, cases or
other packages whatsoever, containing, or which shall have contained, such
goods or commodities, respectively, and every vessel, boat, cart, carriage,
or other conveyance whatsoever, and all horses or other animals, and all
things used in the removal or for the deposit or concealment thereof, re-
spectively, shall be forfeited; and every person who shall remove, deposit,
or conceal, or be concerned in removing, depositing or concealing any

Part of former
laws relating to
time of payment,
&c. of tax, re-
pealed.

Laws as to neg-
l ect in making
returns, &c. ap-
pllicable hereto

Certain apothe-
caries not to be
regarded as ma-
ufacturers under
this act.

Other apothe-
caries and per-
sons to be de-
emed manufactu-
ners.

Stamp tax not
to be imposed
upon certain
medicles, medi-
cines, or chemi-
cals.

No patent or
proprietary med-
icine exempted
from tax.

Removing or
concealing, &c.
any goods liable
to tax, or any
materials or
utensils for mak-
ing such goods,
with intent to
defraud as to
such tax, to work
forfeiture there-
of, &c.

In all cases of
forfeiture of
goods, &c. the
casks, packages,
vessels, car-
rriages and
horses, &c. used
in removal, &c.
to be forfeited.

Penalty for
removal, &c.

Fine.

Search warrant, how and by whom may be issued, to search premises to detect frauds upon the revenue.

Penalty for selling, &c. or receiving, &c. any box, cover, &c. marked to show that its contents have been inspected, such boxes being empty or having other contents than when marked;

for making, or marking, &c. any such box, cover, &c.;

for doing the same with intent to defraud

Fine and imprisonment.

Forfeiture of articles, &c.

Articles requiring marks or stamps, &c. sold upon distraint, without marks, &c. to be stamped and marked by the officer selling, upon sale thereof.

Expenses. Manual labor schools, &c. not to pay a manufacturer's tax, while, &c.

No suit to be brought to recover tax wrongfully collected until after appeal to commissioner, and his decision thereon.

Suit to be brought within what time.

Post, p. 476.

SEC. 15. And be it further enacted, That the judge of any circuit or district court of the United States, or any commissioner thereof, may issue a search warrant, authorizing any internal revenue officer to search any premises, if such officer shall make oath in writing that he has reason to believe, and does believe, that a fraud upon the revenue has been or is being committed upon or by the use of said premises.

SEC. 16. And be it further enacted, That in case any person shall sell, give, or purchase or receive any box, barrel, bag, or any vessel, package, wrapper, cover, or envelope of any kind, stamped, branded or marked in any way so as to show that the contents or intended contents thereof have been duly inspected, or that the tax thereon has been paid, or that any provision of the internal revenue laws has been complied with, whether such stamping, branding, or marking may have been a duly authorized act or may be false and counterfeit, or otherwise without authority of law, said box, barrel, bag, vessel, package, wrapper, cover, or envelope being empty, or containing anything else than the contents which were therein when said articles had been so lawfully stamped, branded, or marked by an officer of the revenue, such person shall be liable to a penalty of not less than fifty nor more than five hundred dollars. And any person who shall make, manufacture, or produce any box, barrel, bag, vessel, package, wrapper, cover, or envelope, stamped, branded, or marked, as above described, or shall stamp, brand, or mark the same, as hereinbefore recited, shall, upon conviction thereof, be liable to penalty as before provided in this section. And any person who shall violate the foregoing provisions of this section, with intent to defraud the revenue, or to defraud any person, shall, upon conviction thereof, be liable to a fine of not less than one thousand nor more than five thousand dollars, or imprisonment for not less than six months, nor more than five years, or both such fine and imprisonment, at the discretion of the court. And all articles sold, given, purchased, received, made, manufactured, produced, branded, stamped, or marked in violation of the provisions of this section, and all their contents, shall be forfeited to the United States.

SEC. 17. And be it further enacted, That where any whiskey, oil, tobacco, or other articles of manufacture or produce, requiring brands, stamps, or marks of whatever kind to be placed thereon, shall be sold upon distraint, forfeiture, or other process provided by law, the same not having been branded, stamped, or marked as required by law, the officer selling the same shall, upon sale thereof, fix, or cause to be affixed the brands, stamps, or marks so required, and deduct the expense thereof from the proceeds of such sale.

SEC. 18. And be it further enacted, That manual labor schools and colleges shall not be required to pay a manufacturer's or special tax while the proceeds of the labor of such institutions are applied exclusively to the support and maintenance of such institutions.

SEC. 19. And be it further enacted, That no suit shall be maintained in any court for the recovery of any tax alleged to have been erroneously or illegally assessed or collected, until appeal shall have been duly made to the commissioner of internal revenue according to the provisions of law in that regard, and the regulations of the Secretary of the Treasury established in pursuance thereof; and a decision of said commissioner shall be had thereon, unless such suit shall be brought within six months from the time of said decision, or within six months from the time this act takes effect: Provided, That if said decision shall be delayed more than six months from the date of such appeal, then said suit may be brought at any time within twelve months from the date of such appeal.
SEC. 20. And be it further enacted, That section fifteen of the act of March three, eighteen hundred and sixty-five, entitled "An act to amend an act entitled 'An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,' approved June thirty, eighteen hundred and sixty-four," be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That in any port of the United States in which there is more than one collector of internal revenue, the Secretary of the Treasury may designate one of said collectors to have charge of all matters relating to the exportation of articles subject to tax under the laws to provide internal revenue; and at such ports as the Secretary of the Treasury may deem it necessary, there shall be an officer appointed by him to superintend all matters of exportation and drawback, under the direction of the collector, whose compensation therefor shall be prescribed by the Secretary of the Treasury, but shall not exceed, in any case, an annual rate of two thousand dollars, excepting at New York, where the compensation shall be an annual rate of three thousand dollars. And all the books, papers, and documents in the bureau of drawback in the respective ports, relating to the drawback of taxes paid under the internal revenue laws, shall be delivered to said collector of internal revenue; and any collector of internal revenue, or superintendent of exports and drawbacks, shall have authority to administer such oaths and certify to such papers as may be necessary under any rules and regulations that may be prescribed under the authority herein conferred.

SEC. 21. And be it further enacted, That every person, firm, or corporation who distils or manufactures spirits or alcohol by continuous distillation from grain, who brews or makes mash, wort, or wash, for distillation or the production of spirits, shall be deemed a distiller, under this act. And the making or keeping by any person of grain, mash, wash, or beer, prepared or fit for distillation, together with the possession by such person of a still or other apparatus capable of use for distilling, upon the same premises, shall be deemed and taken as presumptive evidence that such person is a distiller within the meaning of this act.

SEC. 22. And be it further enacted, That every person, firm, or corporation who rectifies, purifies, or refines distilled spirits or wines by any process, or who, by mixing distilled spirits or wine with any materials, manufactures any spurious, imitation, or compound liquors for sale, under the name of whiskey, brandy, gin, rum, wine, "spirits," or "wine bitters," or any other name, shall be regarded as a rectifier under this act.

SEC. 23. And be it further enacted, That if any person shall carry on the business of a distiller or rectifier without having paid the special tax as required by law, he shall for every such offence be liable to a fine of not less than double the tax imposed upon the spirits distilled, or double the special tax due for the spirits rectified by such person or found upon the premises hereinafter mentioned, and to imprisonment for a term not exceeding two years; and all spirituous liquors so distilled or rectified, or owned by such person, or found as hereinafter mentioned, and all materials for making or preparing the same, and all vessels containing the same, and all stills or other apparatus capable of being used for distilling, owned by such person or found upon any premises where such business shall be carried on in violation of this section, shall be forfeited to the United States, and may be seized by the collector or deputy collector of the district within which such offence is committed.

SEC. 24. And be it further enacted, That every person engaged in, or intending to be engaged in, the business of a distiller or rectifier, shall give notice in writing, subscribed by him, to the assessor of the district within which such business is to be carried on, stating the name or style under which, the name or names, and the place or places of residence of the person or persons by whom, and the place where said business is to
be carried on, and whether of distilling or rectifying. In case of a distiller, the notice shall also state the kind of stills, boilers, and other implements to be used, the capacity of each, the name or names of the owner or owners of the premises on which the distillery is or is to be situated, and if such premises are leased, the terms of the lease. In case of any change in the location, form, capacity, ownership, agency, or superintendence of such distillery, stills, boilers, or other implements, like notice shall be given as aforesaid, within twenty-four hours, of such change.

Such person shall also give bond, in form to be prescribed by the commissioner of internal revenue, with sureties approved by the collector of the district, who may approve the same if he shall be satisfied, by affidavits made on said bond, of the sufficiency of said sureties, conditioned that he will comply with all the requirements of the law in relation to distilled spirits. The penal sum of such bond shall not be more than double the amount of the tax on the spirits that can be distilled by such still or stills or other implements during a period of fifteen days; said collector may refuse to approve said bond when, in his judgment, the location of the distillery is such as would enable the distiller to defraud the revenue, and in case of such refusal, the distiller may appeal to the commissioner of internal revenue, whose decision in the matter shall be final. A new bond may be required in case of the death, insolvency, or removal of either of the sureties, or in any other contingency, at the discretion of the collector. Any person failing to give the notice or bond hereinbefore required, or giving a false or fraudulent notice, shall be liable to the fine and forfeiture provided in the last preceding section.

SEC. 25. And be it further enacted, That no person shall use any still, boiler, or other vessel, for the purpose of distilling in any building or on any premises where beer, lager beer, ale, porter, or other fermented liquors, vinegar, or ether, are manufactured or produced, or where sugars or sirups are refined, or where liquors of any description are retailed, or any other business is carried on, or in any dwelling-house; and every person who shall use such still, boiler, or other vessel, for the purpose of distilling, as aforesaid, in any building or other premises where the above specified articles are manufactured, produced, or other business is carried on, or in any dwelling-house, or who shall procure the same to be done, shall forfeit such stills, boilers, or other vessels so used, and all the spirits distilled, and pay a fine of one thousand dollars, or be imprisoned for not more than one year, in the discretion of the court; and any person who shall manufacture any still, boiler, or other vessel, to be used for the purpose of distilling, shall, before the same is removed from the place of manufacture, notify the collector where such still, boiler, or other vessel is to be used or sent, and by whom it is to be used, and of its capacity, and the time when the same is to be sent or set up; and no such still, boiler, or other vessel, shall be set up without the permit in writing of the collector for that purpose; and any person who shall set up such still, boiler, or other vessel, without first obtaining a permit from the collector of the district in which such still, boiler, or other vessel is intended to be used, or who shall fail to give such notice, shall pay in either case the sum of five hundred dollars, and shall forfeit the distilling apparatus thus removed or set up in violation of law; Provided, That saleratus may be made or manufactured in any building or on any premises where spirits are distilled: Provided further, That any boiler used in generating steam or heating water to be used in such distillery may be located in any other building or on any other premises to be connected with such still or boiling tubs, by suitable pipes or other apparatus, or the steam from such boiler in the distillery may be conveyed to other premises to be used for manufacturing or other purposes.

SEC. 26. And be it further enacted, That every rectifier or wholesale dealer in distilled spirits shall enter, daily, in a book or books kept for
the purpose, under such rules and regulations as the commissioner of internal revenue may prescribe, the number of proof gallons of spirits purchased or received, of whom purchased and received, and the number of proof gallons sold or delivered; and every rectifier or wholesale dealer who shall neglect or refuse to keep such record shall forfeit all spirits in his possession, together with the apparatus, tools, and implements used, and be subject to a fine of five hundred dollars, or imprisonment for not less than six months nor more than one year, in the discretion of the court. And every rectifier shall mark on each package of five gallons or more of distilled or rectified spirits sold by him, his name and place of business.

Sec. 27. And be it further enacted, That the owner or owners of any distillery shall provide at his or their own expense a warehouse suitable for the storage of bonded spirits, of [his or] their own manufacture only; or he or they may provide a secure room in a suitable building, to be used as such warehouse, but no dwelling-house shall be used for such purpose; and no door, window, or other opening shall be made or permitted in the walls thereof, leading to any other room or building used for any other purpose, or into the distillery; and after a bond has been given, as hereinafter provided, such warehouse or room, when approved by the Secretary of the Treasury, on report of the district collector, is hereby declared to be a bonded warehouse of the United States, and shall be used only for the storing of spirits manufactured by the owner, agent, or superintendent of such distillery, and shall be under the custody of the inspector as hereinafter provided; and shall be kept locked up by the proper officer in charge, at all times, except when he shall be present; and the tax on the spirit stored in such warehouse shall be paid before removal from such warehouse, unless removed in pursuance of law. And the owner or owners of such warehouse shall execute a general bond to the United States with two or more sureties, to be approved by the collector; and such bond shall be for not less than the amount of taxes on the spirits to be covered thereby, and in such form, and containing such conditions, as shall be approved by the Secretary of the Treasury, and shall be changed or renewed from time to time in regard to the amount and sureties thereof, as the collector, with the approval of the Secretary of the Treasury, may require.

Sec. 28. And be it further enacted, That general bonded warehouses, for the storage of spirits or other merchandise allowed by law to be placed in bond to secure the payment of the internal revenue tax thereon, or the exportation thereof, may be established under such rules and regulations and upon the execution of such bonds as the Secretary of the Treasury may prescribe, and shall be in the immediate custody of storekeepers who shall be appointed for that purpose, whose compensation shall be paid monthly to the collector of the district by the owners or proprietors of such warehouse, and shall not exceed the rates which may be allowed to storekeepers of bonded warehouses established under the laws and regulations relating to customs: Provided, That any article manufactured in a bonded warehouse established under the one hundred and sixty-eighth section of the internal revenue act of June thirtieth, eighteen hundred and sixty-four, and located in any of the Atlantic States, may be removed therefrom for transportation to a customs bonded warehouse at any port on the Pacific coast of the United States, for the purpose only of being exported therefrom, under such rules and regulations and upon the execution of such bonds or other security as the Secretary of the Treasury may prescribe.

Sec. 29. And be it further enacted, That there shall be appointed by the Secretary of the Treasury an inspector for every distillery established, according to law, who shall take an oath faithfully to perform his duties; and who shall take an account of all the meal and vegetable productions...
Duties of inspectors of distilleries.

Entry for spirits placed in such warehouse to be made, &c. by owners.

Certificate of inspector to be indorsed thereon.

Inspector not to engage in other business.

Pav to be assessed on distiller.

Fees for inspection.

When assistant inspector may be appointed.

Inspection, &c. of assistant inspector.

In absence of inspector and assistant, collector may designate a person to take temporary charge, &c.

Penalty for using, &c. materials for making spirits, for distilling or removing spirits in absence of acting, &c. inspector, without, &c.

For removing spirituous, &c. liquors, &c. under wrong brand.

General inspectors of spirits to be appointed.

Fees.

or other substances to be used for the purpose of producing spirits, when put into the mash tub or otherwise used; and shall inspect, gauge, and prove all the spirits distilled, under such rules and regulations as may be prescribed by the commissioner of internal revenue; and shall take charge of the bonded warehouse established for the distillery in conformity to law; and such warehouse shall be in the joint custody of such inspector and the owner thereof, his agent or superintendent; and when any spirits shall be placed in such warehouse, an entry therefor, in such form as shall be prescribed by regulations, shall immediately be made and signed by the owner of said spirits, and shall have indorsed thereon a certificate of the inspector that the spirits mentioned have been duly inspected and received in said warehouse, and such entry and certificate shall be filed with the collector of the district; and said inspector shall not engage in any other business while employed as an inspector, and shall be paid five dollars per day for the time during which he is engaged; and the amount of compensation thus paid for inspection shall be assessed by the assessor upon the distiller, and returned to the collector monthly for collection; and in addition to the above compensation, such inspector shall receive such fee as may be prescribed by the commissioner of internal revenue for each and every proof gallon of distilled spirits inspected by him and removed to the bonded warehouse, which shall be paid by the distiller or owner of the spirits; but no compensation shall be allowed to such inspector for more than one inspection of such spirits. And in case the duties of such inspector shall be greater at any time than he can perform, upon the joint application of the inspector and owner of such distillery, the Secretary of the Treasury may appoint an assistant inspector; and upon the refusal of the distiller to join in such application, the collector shall decide as to such necessity; and such assistant inspector shall qualify in the same manner and be subject to the same penalties as the inspector, and he shall be paid in the same manner as the inspector, at a rate not exceeding the sum of three dollars per day while so employed; and in case of disagreement as to the necessity of retaining the services of such assistant, between the owner of the distillery and the inspector, the collector shall decide as to such necessity, and his decision in the matter shall be final. And in case of absence by sickness, or from any other cause, of such inspector or assistant, the collector may designate a person to take temporary charge of such distillery and warehouse, who shall during such absence perform the duties, receive the same rate of pay, and be paid in the same manner, as said inspector or assistant for the time he may be so employed: Provided, That the owner, agent or superintendent of any distillery who shall use, cause or permit to be used, rule for making spirits, or shall distil or remove any spirits in the absence of the acting inspector or assistant, without permission granted by the collector of the district, shall forfeit and pay double the amount of taxes on the spirits so produced, distilled, or removed, and in addition thereto be liable to a fine of one thousand dollars, to be recovered in the manner provided for other penalties: Provided further, That any person who shall ship, transport or remove any spirituous or fermented liquors or wines, under any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the casks or packages containing the same, or who shall cause the same to be done, shall forfeit the same, and shall, on conviction thereof, be subject to and pay a fine of five hundred dollars.

Sec. 30. And be it further enacted, That there shall be appointed by the Secretary of the Treasury, in every collection district where the same may be necessary, one or more general inspectors of spirits, who shall be entitled to receive such fee as may be prescribed by the commissioner of internal revenue for each and every proof gallon gauged and proved by him, to be paid by the owner of the spirits; and any owner, agent, or su-
perintendent of any distillery or bonded warehouse who shall refuse to admit an inspector upon such premises, so far as it may be necessary for the performance of his duties, or who shall obstruct an inspector in the performance of his duties, shall forfeit and pay the sum of five hundred dollars, to be recovered in the manner provided for recovery of other penalties imposed by this act.

SEC. 31. And be it further enacted, That every person making or distilling spirits, or owning any still, boiler, or other vessel used for the purpose of distilling spirits, or having such still, boiler, or other vessel so used under his superintendence, either as agent or owner, or using any such still, boiler, or other vessel, shall, from day to day, to make, or cause to be made, true and exact entry in a book, to be kept in such form as the commissioner of internal revenue may prescribe, of the number of pounds or gallons of materials used for the purpose of producing spirits, the number of gallons of spirits distilled, the number of gallons placed in warehouse, and the proof thereof, and the number of gallons sold, with the proof thereof, and the name and place of business or residence of the person to whom sold; and shall also on the first, eleventh, and twenty-first days of each month, or within five days thereafter, render to the assessor or assistant assessor an account in duplicate, taken from his books in the particulars hereinbefore recited, and verified by oath, of all the facts occurring after the last day of account preceding: The entries to be made in the books of the distiller as aforesaid shall, upon the several days when the returns are made, as provided, be verified by oath or affirmation of the person or persons by whom such entries shall have been made, in the presence of the assessor or assistant assessor, or other proper officer, who shall append thereto his certificate of the execution of the same. The owner, agent, or superintendent of any distillery, shall, in case the original entries required to be made in his books by this act shall not have been made by himself, subjoin to the certificate of the person by whom they were made the following oath or affirmation: “I do certify that to the best of my knowledge and belief the foregoing entries are just and true, and that I have taken all the means in my power to make them so.” Said book shall always be open for the inspection of any assessor, assistant assessor, collector, deputy collector, revenue agents, or inspectors, and any premises where distilling shall be carried on shall be open to said officers, or either of them, at all times. Any person who shall violate the provisions of this section shall for every such offence be liable to a fine of five hundred dollars. Any person who shall render an account under the provisions of this section which shall be false or fraudulent shall be liable to a fine of not less than five hundred dollars, or to imprisonment not less than six months.

SEC. 32. And be it further enacted, That there shall be levied, collected, and paid on all distilled spirits upon which no tax has been paid according to law, a tax of two dollars on each and every proof gallon, to be paid by the distiller, owner, or any person having possession thereof; and the tax shall be a lien on the spirits distilled, on the distillery used for distilling the same, with the stills, vessels, fixtures, and tools therein, and on the interest of said distiller in the lot or tract of land wherein the said distillery is situated, from the time said spirits are distilled, until the said tax shall be paid: Provided, That the tax on all spirits shall be collected at no lower rate than the basis of first-proof, and shall be increased in proportion for any greater strength than the strength of first-proof.

SEC. 33. And be it further enacted, That proof spirits shall be held and taken to be that alcoholic liquor which contains one half its volume of alcohol of a specific gravity of seven thousand nine hundred and thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit; and the Secretary of the Treasury is hereby authorized to adopt, procure, and prescribe for use, such hydrometers, weighing and gauging instruments, meters or
Instruments for weighing and gauging spirits.

Gallon to mean a gallon of first proof.

Receiving cisterns to be provided by owner of distillery, and how located, how to be constructed;

Locks and seals, how to be provided.

Penalty for knowingly, &c. using false weights, &c. or making false records, for tampering with locks or seals;

for using any substances for producing spirits before an account of them is registered.

Tax on wines, made in imitation of champagne and put up in bottles, &c.; tax to be paid by whom.

other means for ascertaining the strength and quantity of spirits subject to tax, and to prescribe such rules and regulations as he may deem necessary to insure a uniform and correct system of inspection, weighing, and gauging of spirits subject to tax throughout the United States. And in all sales of spirits hereafter made, where not otherwise specially agreed, a gallon shall be taken to be a gallon of first-proof, according to the foregoing standard set forth and declared for the inspection and gauging of spirits throughout the United States.

Sec. 34. And be it further enacted, That the owner, agent, or superintendent of any distillery established as hereinbefore provided, shall erect, in a room or building to be provided and used for that purpose, and for no other, two or more receiving cisterns, each to be at least of sufficient capacity to hold all the spirits distilled during the day of twenty-four hours, into one of which shall be conveyed each day all the spirits manufactured in said distillery during that day; and such cisterns shall be so constructed as to leave an open space of at least three feet between the tops thereof and the floor or roof above, and of not less than eighteen inches between the bottoms thereof and the floor below, and shall be separated in such a manner as will enable the inspector to pass around the same, and shall be connected with the outlet of the stills, boilers, or other vessels used for distilling, by suitable pipes or other apparatus so constructed as always to be exposed to the view of the inspector; such cisterns and the room in which they are contained shall be in charge of the inspector; and under the lock and seal of the inspector; and on the third day after the spirits are conveyed into such cisterns the same shall be drawn off into casks or other packages, under the supervision of the inspector, and shall be immediately inspected, gauged, proved, and the casks or packages marked as herein provided, and be removed directly to the bonded warehouse before mentioned: Provided, That the spirits may be drawn off from said cisterns at any time previous to the third day, if so desired by the owner, agent, or superintendent of such distillery; and all locks and seals required by law shall be provided by the Secretary of the Treasury, at the expense of the owner of the distillery or warehouse, and the keys shall always be in the custody of the inspector, or assistant inspector, or the officer having charge of the distillery or warehouse.

Sec. 35. And be it further enacted, That any person who shall knowingly and fraudulently use any false weights or measures in ascertaining, weighing, or measuring the quantities of grain, meal, or vegetable materials, molasses, beer or other substances to be used for distillation, or who shall fraudulently make false record of the same, or who shall destroy or tamper with any locks or seal which may be placed on any cistern, rooms, or buildings, by the duly authorized officers of the revenue, shall on conviction thereof be imprisoned for the term of two years, and pay a fine not exceeding one thousand dollars, in the discretion of the court; and any person who shall use any molasses, beer, or other substances, whether fermented on the premises or elsewhere, for the purpose of producing spirits, before an account of the same shall have been registered in the proper record book provided for this purpose, shall forfeit and pay the sum of one thousand dollars for each and every offence so committed.

Sec. 36. And be it further enacted, That on all wines, liquors, or compounds known or denominated as wine, made in imitation of sparkling wine or champagne, and put up in bottles in imitation of any imported wine, or with the pretense of being imported wine, or wine of foreign growth or manufacture, there shall be levied and paid a tax of six dollars per dozen bottles, each bottle containing more than one pint, and not more than one quart, or three dollars per dozen bottles, each bottle containing not more than one pint; and the tax to be paid by the manufacturer, owner, or person having possession thereof; and the returns, assessment, collect-
tion, and time of collection of the tax on such imitation wines shall be subject to the regulations of the commissioner of internal revenue. And any person who shall willfully and knowingly sell or offer for sale any such wine made after this act takes effect, upon which the tax herein imposed has not been paid, or which has been fraudulently evaded, shall, upon conviction thereof, be subject to a penalty of one thousand dollars, or to imprisonment not exceeding one year, at the discretion of the court.

SEC. 37. And be it further enacted, That every owner, agent, or superintendent of any distillery shall, at all times when required, supply all assistance, lights, ladders, tools, staging, or other things necessary for inspecting the premises, stock, tools, and apparatus, belonging to such person, and shall open all doors, and open for examination all boxes, packages, and all casks, barrels, and other vessels not under the control of the inspector, when required to do so by any duly authorized officer, under a penalty of two hundred dollars for any refusal or neglect so to do.

SEC. 38. And be it further enacted, That all spirits distilled shall, before the same are removed to the bonded warehouse, be inspected, gauged, and proved by the inspector appointed for that purpose, after the same has been drawn into casks or packages, each of not less capacity than twenty gallons, wine measure, and said inspector shall mark by cutting branding, or otherwise upon the cask or package containing such spirits, in a manner to be prescribed by the commissioner of internal revenue, the quantity and proof of the contents of such cask or package, with the date of inspection, the collection district, the name of the inspector and the name of the distiller, and also the number of each cask in progressive order, such progressive number, for every distiller, to begin with number one with the first cask or package inspected after this act takes effect, and subsequently with number one with the first cask inspected on or after the first day of January, in each year, and no two or more casks warehoused in the same year by the same distiller shall be marked with the same number, and the officer in charge of the warehouse shall refuse to allow any cask of spirits to be taken out therefrom which has not been branded thereon all the several particulars aforesaid, and in the manner required by law. And the inspector or other revenue officer in charge of any distillery shall make a prompt return of all spirits inspected by him in accordance with the provisions of law, and the name of the distiller, to the collector, and a duplicate thereof to the assessor of the district; and any person who shall fraudulently evade or attempt fraudulently to evade the payment of the tax upon any spirits distilled as aforesaid, by changing any marks upon any such cask or package, or in any other manner whatsoever, or who shall fraudulently put into such cask or package spirits of greater strength than that inspected and certified to by the inspector, shall pay double the amount of tax, on each proof gallon of the spirits so altered or changed, to be assessed and collected as in case of other taxes, and for the additional sum of five hundred dollars for each cask or package so altered or changed, to be recovered as provided by law; and any inspector, assistant inspector, or officer temporarily in charge of any distillery, who shall conspire with the proprietor of any distillery or with any other person or persons to defraud the United States of the revenue or tax arising from distilled spirits, or who shall, with intent to defraud the United States of such revenue or tax, make any false or fraudulent entry, certificate, or return, or place any false or fraudulent mark upon any cask or package, shall, on conviction thereof, pay a fine of not less than one thousand nor more than five thousand dollars, and be imprisoned for not less than two nor more than five years; and any person who shall fraudulently use any cask or package bearing inspection marks, for the purpose of selling any other spirits than that so inspected, or for selling spirits of a quality or different in a manner from that so inspected, shall be imprisoned for a term of six months or
Penalty for knowingly purchasing or selling cask with inspection marks thereon, after, &c.; for fraudulently using any inspector's brands, &c., or making or using counterfeit brands; upon any inspector, for negligent or improper use of his brands or plates; or employing any servant of distiller, &c., to do his duty, shall pay a fine of one hundred dollars for each cask or package so used, in the discretion of the court; and any person who shall knowingly purchase or sell, with inspection marks thereon, any cask or package, after the same has been used for distilled spirits, or who shall fraudulently omit to erase or obliterate the inspection marks upon any such package or cask at the time of emptying the same, shall forfeit and pay the sum of two hundred dollars for every cask so purchased or used, or on which the marks are not so obliterated. And any person who shall, with fraudulent intent, use any inspector's brands or plates upon any cask or package containing or purporting to contain distilled spirits, or who shall knowingly make or use any counterfeit or spurious brand or plate upon any cask or package of distilled spirits, as aforesaid, shall be deemed guilty of a felony, and, on conviction thereof, shall pay a fine of one thousand dollars and be imprisoned for not less than two nor more than five years, and such cask or package, with its contents, shall be forfeited to the United States. And any inspector who shall permit any person not employed by him to use any of his brands or plates, or who shall negligently or wilfully leave such brands or plates where they can be used by any other person than those who may be in his employ, shall pay a fine not exceeding one thousand dollars, in the discretion of the court. And any inspector who shall employ any owner, agent, or superintendent of any distillery or warehouse under his supervision, or who shall employ any person in the service of such owner, agent, or superintendent, to use his plates or brands, or to discharge any of the duties imposed by law upon such inspector, shall, for each offense so committed, be subject to the fine last mentioned.

SEC. 39. And be it further enacted, That any person or persons who shall add, or cause to be added, any ingredients to any spirits before the tax imposed by law shall have been paid thereon, for the purpose of creating a fictitious proof, shall, upon conviction, be subject to a fine of one thousand dollars for each cask or package so adulterated, and be imprisoned for not less than one nor more than two years, in the discretion of the court, and such cask or package, with its contents, shall be forfeited to the United States.

SEC. 40. And be it further enacted, That any distilled spirits which have been inspected, gauged, proved, and marked by the inspector, according to the provisions of law, may be removed without the payment of tax from the bonded warehouse owned by the distiller, under such rules and regulations, and upon the execution of such transportation bonds or other security, as the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, may prescribe, and may be transported to any general bonded warehouse used for the storage of distilled spirits, established under the internal revenue laws and regulations, after having been branded as follows: "U. S. bonded warehouse, district,——; for transportation to——district,——", (inserting in each case the number of the district and name of the State;) and immediately after the arrival of such distilled spirits at the district of the collector to which it has been transferred, it shall again be inspected and placed in a bonded warehouse; and the tax shall be paid on the difference between the number of proof gallons as stated in the bond given at the place of shipment and the number received at the warehouse, less the allowance for leakage as established by the regulations of the commissioner of internal revenue; and except for actual destruction by unavoidable accident, by the elements, or by the public enemy, no other allowance for loss shall be made; and any distilled spirits entered in a general bonded warehouse shall be subject to such rules and regulations as the commissioner of internal revenue may prescribe, and be chargeable with the same costs and expenses, in all respects, to which imported goods deposited in public store or bonded warehouse may be subject, and shall be
in charge of a storekeeper, to be appointed by the Secretary of the Treasury, who, with the owner and proprietor of the warehouse, shall have the joint custody of all the distilled spirits so stored in said warehouse, which shall be at the risk of the owner of the said spirits; and all labor on the same shall be performed by the owner or proprietor of the warehouse, under the supervision of the officer in charge of the same, and at the expense of said owner or proprietor. And the same fees shall be paid for the execution of all papers, instruments, and documents relating to the exportation of any spirits or other merchandise, as are charged to exporters for like services in the custom-house; and all expense and services required in the removal, transfer, and shipment of the same for export shall be paid by the owner thereof: Provided, That any distilled spirits may be withdrawn from a bonded warehouse, after having been inspected and gauged by the proper officer, and after the payment to the collector of internal revenue for the district in which the warehouse is situated of the tax imposed by law; and when so delivered, shall be branded "U. S. bonded warehouse, tax paid"; or may be removed from said warehouse without the payment of the tax for the purpose of being exported, or for the purpose of being rectified, or redistilled, canned, or put into other packages, after the quantity and proof of the spirits to be removed have been ascertained and inspected as required by law, under such rules and regulations and the execution of such bonds or other security as the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, may prescribe; but such removal of bonded spirits for the purpose of being rectified, redistilled, or put into other packages, shall be allowed but once on the same spirits; and all spirits so removed for distillation, rectification, or change of package, shall be returned to the same warehouse, and shall again be inspected; and the tax shall be paid to the said collector on any deficiency or reduction beyond three per cent. And upon spirits removed under bond for the purpose of being redistilled or rectified, or change of package as aforesaid, and upon which an allowance shall have been made, as herein provided, the duty upon such allowance shall be paid, together with the taxes imposed by law upon such spirits, in case such spirits shall be withdrawn for consumption or sale, or for transportation without being exported. And no drawback shall be allowed on any distilled spirits on which the tax has been paid; but nothing in this section shall be so construed as to prevent the manufacture in bond for exportation, without the payment of taxes, of medicines, preparations, composition, perfumery, cosmetics, cordials, and other liquors manufactured wholly or in part of domestic spirits, as provided by law.

SEC. 41. And be it further enacted, That any spirits or other merchandise may be removed from bonded warehouse, for the purpose of being exported, upon the order of the superintendent of exports for the port whence the spirits are to be exported; and such order shall state the port to which such spirits are to be shipped, and the name of the vessel, and also the number of proof gallons, and the marks of the packages or casks; and such spirits or other merchandise shall be branded "U. S. bonded warehouse, for export," and shall be put on board of the vessel in or by which they are to be exported, by an officer under direction of the superintendent of exports, and placed under the supervision of an officer of the customs, after a bond with good and sufficient sureties shall have been given in such form and containing such conditions as the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, may prescribe. And such bond shall be cancelled upon the presentation of the proper certificat that said spirits have been landed at the port named in said bond, or at any other port without the jurisdiction of the United States, or upon satisfactory proof that after shipment the spirits have been lost. And at any port where there shall be no superintendent of exports, all the duties and services required of superintendents of ex.
SEC. 42. And be it further enacted, That any person or persons who shall execute or sign any false or fraudulent bond, permit, entry, or other document, required by law or regulations; or who shall fraudulently procure the same to be executed; or who shall connive at the execution thereof, by which the payment of any internal revenue tax shall be evaded, or attempted to be evaded, or which shall be executed, or purport to be executed, for the purpose of placing in, or withdrawing from, any bonded warehouse any spirits or other merchandise for any purpose whatsoever, or which shall in any way be used or attempted to be used in fraud of the internal revenue laws and regulations, on conviction thereof, shall forfeit all property in such spirits or other merchandise to which such instrument relates, or purports to relate, and shall be imprisoned for a term not less than one nor more than five years, at the discretion of the court.

SEC. 43. And be it further enacted, That any person owning any distilled spirits intended for sale, manufactured prior to the time when this act takes effect, exceeding fifty thousand altogether, shall notify in writing to the collector of the district wherein such spirits may be stored, held, or owned, within sixty days thereafter, to gauge and prove them; and upon the receipt of said notice the collector shall cause said spirits to be gauged and proved, and the casks or packages containing the same to be marked by the inspector in the following manner:

Manufactured prior to

Collector to send commissioner copy of return

Penalty for refusal to notify collector

Spirits on which tax is paid not to remain upon distiller's premises

Absence of inspector's brand to be cause for forfeiture

Changing the character of spirits after, &c. and placing them in other packages without, &c. to work forfeiture of spirits.

See Post, p 475.
Brewer is situated, and of his or their title thereto, and the name or such person or persons, and a description of the premises on which the company or firm, together with the place or places of residence of such person or persons, and a description of the premises on which the brewery is situated, and of his or their title thereto, and the name or

SEC. 44. And be it further enacted, That all boilers, stills, or other vessels, tools, and implements, used in distilling or rectifying, and forfeited under any of the provisions of this act, and all condemned material, together with any engine or other machinery connected therewith, and all empty barrels, and all grain or other material suitable for distillation shall, under the direction of the court in which the forfeiture is recovered, be sold at public auction, and the proceeds thereof, after deducting the expenses of sale, shall be disposed of according to law. And all spirits or spirituous liquors which may be forfeited under the provisions of this act, unless herein otherwise provided, shall be disposed of by the commissioner of internal revenue as the Secretary of the Treasury may direct. And the commissioner of internal revenue is hereby authorized, with the approval of the Secretary of the Treasury, to exempt distillers of brandy from apples, peaches, or grapes exclusively, from all of the provisions of this act relating to the manufacture of spirits as in his judgment may seem expedient. And any word or words in any act or section of this, act, of all acts to which this act is additional, indicating or referring to person or persons, shall be taken to include partnerships, firms, associations, bodies corporate or politic, or any other party whatsoever, when not otherwise designated, or manifestly incompatible with the intent thereof.

SEC. 45. And be it further enacted, That any person who shall remove any distilled spirits from the place where the same are distilled, otherwise than into a bonded warehouse as provided by law, shall be liable to a fine of double the amount of the tax imposed thereon, or to imprisonment for not less than three months. All distilled spirits so removed, and all distilled spirits found elsewhere than in a bonded warehouse, not having been removed from such warehouse according to law, and the tax imposed by law on the same not having been paid, shall be forfeited to the United States or may, immediately upon discovery, be seized, and, after assessment of the tax thereon, may be sold by the collector for the tax and expenses of seizure and sale. And proceedings upon such seizure shall be accorded in conformity with any regulations which shall be made by the commissioner of internal revenue. The burden of proof shall be upon the claimant of said spirits to show that the requirements of law in regard to the same have been complied with. And any person who shall aid or abet in the removal of distilled spirits from any distillery otherwise than to a bonded warehouse as provided by law, or shall aid in the concealment of such spirits so removed, shall be liable, on conviction thereof, to a fine of not less than two hundred nor more than one thousand dollars, or to imprisonment for not less than three nor more than twelve months. And any person who shall remove, or shall aid or abet in the removal of any distilled spirits from any bonded warehouse, other than is allowed by law, shall be liable to a fine of not more than one thousand dollars, or to imprisonment for not less than three nor more than twelve months.

SEC. 46. And be it further enacted, That every brewer shall, before commencing or continuing business after this act takes effect, file with the assistant assessor of the assessment district in which he shall design to carry on his business, a notice in writing, stating therein the name of the person, company, corporation, or firm, and the names of the members of any such company or firm, together with the place or places of residence of such person or persons, and a description of the premises on which the brewery is situated, and of his or their title thereto, and the name or

Branding packages, knowing the taxes not to be paid, how punished. See Post, p. 475.

Forfeited stills, implements, &c. and condemned material, to be sold at public auction.

Forfeited liquors, how disposed of.

Distillers of brandy from apples, grapes, &c. may be exempted, &c.

The word "person" to include what.

See Post, p. 483.

Penalty for removing spirits from places where distilled, except to a bonded warehouse.

Spirits so removed when tax is not paid, to be forfeited; and may be seized and sold.

Proceedings in case of seizure

Burden of proof upon claintants

Aiding in the unlawful removal of distilled spirits how, punished

Brewers, before commencing business, to give notice to assessors.

Notice to state what.
names of the owner or owners thereof; and also the whole quantity of malt liquors annually made and sold or removed from the brewery for two years next preceding the date of filing such notice.

SEC. 47. And it is further enacted, That every brewer shall execute a bond to the United States, to be approved by the collector of the district, in a sum equal to twice the amount of tax which, in the opinion of the assessor, said brewer will be liable to pay during any one month, which bond shall be renewed on the first day of May in each year, and shall be conditioned that he will pay, or cause to be paid, as herein provided, the tax required by law on all beer, lager beer, ale, porter, and other fermented liquors aforesaid made by him, or for him, before the same is sold or removed for consumption or sale, except as hereinafter provided; and that he will keep, or cause to be kept, a book in the manner and for the purpose hereinafter specified, which shall be open to inspection by the proper officers as by law required, and that he will in all respects faithfully comply, without fraud or evasion, with all requirements of law relating to the manufacture and sale of any malt liquors before mentioned: Provided, That no brewer shall be required to pay a special tax as a wholesale dealer, by reason of selling at wholesale, at a place other than his brewery, malt liquors manufactured by him.

SEC. 48. And it is further enacted, That there shall be paid on all beer, lager beer, ale, porter, &c., a tax of one dollar for every barrel containing not more than thirty-one gallons; and at a like rate for any other quantity or for any fractional part of a barrel which shall be brewed or manufactured and sold, or removed for consumption or sale, within the United States; which tax shall be paid by the owner, agent or superintendent of the brewery or premises in which such fermented liquors shall be made, in the manner and at the time hereinafter specified: Provided, That fractional parts of a barrel shall be halves, quarters, sixths, and eighths; and any fractional part of a barrel containing less than one eighth shall be accounted one eighth; more than one eighth and not more than one sixth, shall be accounted one sixth; more than one sixth and not more than one quarter, shall be accounted one quarter; more than one quarter and not more than one half, shall be accounted one half; more than one half and not more than one barrel, shall be accounted one barrel; and more than one barrel and not more than sixty-three gallons, shall be accounted two barrels; or a hogshead.

SEC. 49. And it is further enacted, That every person owning or occupying any brewery or premises used, or intended to be used, for the purpose of brewing or making such fermented liquors, or who shall have such premises under his control or superintendence as agent for the owner or occupant, or shall have in his possession or custody any brewing materials, utensils, or apparatus, used or intended to be used on said premises in the manufacture of beer, lager beer, ale, porter, or other similar fermented liquors, either as owner, agent, or superintendent, shall, from day to day, enter or cause to be entered, in a book to be kept by him for that purpose, the kind of such fermented liquors, the description of packages, and number of barrels and fractional parts of barrels of fermented liquors made, and also the quantity sold or removed for consumption or sale, and shall also, from day to day, enter or cause to be entered, in a separate book to be kept by him for that purpose, a true statement in writing, taken from his books, of the whole quantity of material purchased; including grain and malt; and shall render to said assessor or assistant assessor, on or before the tenth day of each month, a true statement in writing, taken from his books, of the whole quantity or number of barrels and fractional parts of barrels of fermented liquors brewed and sold, or removed for consumption or sale, during the preceding month; and shall verify, or cause to be verified, the said statement, and the facts therein.
set forth, by oath or affirmation to be taken before the assessor or assistant assessor of the district, according to the form required by law, and shall immediately forward to the collector of the district a duplicate of said statement, duly certified by the assessor or assistant assessor. And said books shall be open at all times for the inspection of any assessor or assistant assessor, collector, deputy collector, inspector, or revenue agent, who may take memorandums and transcripts therefrom.

SEC. 50. And be it further enacted, That the entries made in such books shall, on or before the tenth day of each month, be verified by the signature or affirmation of the person or persons by whom such entries shall have been made, which oath or affirmation shall be written in the book at the end of such entries, and be certified by the officer administering the same, and shall be in form as follows: "I do swear (or affirm) that the foregoing entries were made by me, and that they state truly, according to the best of my knowledge and belief, the whole quantity of fermented liquors brewed, the quantity sold, and the quantity removed from the brewery owned by—— in the county of——. And further, that I have no knowledge of any matter or thing, required by law to be stated in said entries, which has been omitted therefrom." And the owner, agent, or superintendent aforesaid, shall also, in case the original entries made in his books shall not have been made by himself, subjoin thereto the following oath or affirmation, to be taken in manner as aforesaid: A "I do swear (or affirm) that, to the best of my knowledge and belief, the foregoing entries fully set forth all the matters therein required by law, and that the same are just and true, and that I have taken all the means in my power to make them so."

SEC. 51. And be it further enacted, That the owner, agent, or superintendent of any brewery, vessels, or utensils used in making fermented liquors, who shall evade or attempt to evade the payment of the tax thereon, or fraudulently neglect or refuse to make true and exact entry and report of the same in the manner by law required, or to do or cause to be done any of the things by law required to be done by him aforesaid, or who shall intentionally make false entry in said book or in said statement, or knowingly allow or procure the same to be done, shall for-sfeit, for every such offence, all the liquors made by him or for him, and all the vessels, utensils, and apparatus used in making the same, and be liable to a penalty of not less than five hundred nor more than one thousand dollars, to be recovered with costs of suit, and shall be deemed guilty of a misdemeanor, and shall be imprisoned for a term not exceeding one year. And any brewer who shall neglect to keep the books, or refuse to furnish the account and duplicate thereof as provided by law, or who shall refuse to permit the proper officer to examine the books in the manner provided, shall, for every such refusal or neglect, forfeit and pay the sum of three hundred dollars.

SEC. 52. And be it further enacted, That the commissioner of internal revenue shall cause to be prepared, for the payment of the tax aforesaid, suitable stamps denoting the amount of tax required to be paid on the hogshead, barrels, and halves, quarters, sixths, and eighths of a barrel of such fermented liquor, and shall furnish the same to the collectors of internal revenue, who shall each be required to keep on hand, at all times, a supply equal in amount to two months' sales thereof, if there shall be any brewery or brewery warehouse in his district, and the same shall be sold by such collectors only to the brewers of their districts, respectively; and such collectors shall keep an account of the number and values of the stamps sold by them to each of such brewers, respectively; and the commissioner of internal revenue shall allow upon all sales of such stamps to any brewer, and by him used in his business, a deduction [deduction] of seven and one half per centum. And the amount paid into the treasury by any collector on account of the sale of such stamps to brewers shall be

Brewers, &c. to send duplicate of statement to collector.

Books to be open to inspection of revenue officers.

Entries in books to be verified monthly upon oath.

Form of oath.

Oath taken by owner, if original entries are not made by him.

Penalty for evading or attempting to evade payment of tax.

Penalty for fraudulently neglecting, &c.; to make entry and report; for intentionally making a false entry.

Forfeiture.

Fine.

Imprisonment. Penalty for neglecting to keep books, or furnishing accounts, or for not permitting books to be examined.

Stamps to be prepared denoting amount of tax to be paid on barrels, &c.; to be furnished to collectors, who shall keep two months' supply on hand, to be sold only to brewers.

Account to be kept of stamps sold.

Deduction on sales to brewers.

Commissions of collector and

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the stamp, oror aid in the withdrawal of any fermented liquor from any hogshead, bar-from

ing

for the same to be done, shall be liable to pay a penalty of one hundred dol- lar

ars for each barrel or package on which such omission or fraud occurs

Penalty for
denoting the cap

Mary shall not have been affixed, or on which a false or fraudulent stamp

ing fraudulent the same to be done, shall be liable to pay a penalty of one hundred dol-

ars for each barrel or package on which such omission or fraud occurs

Fine and im-

prisonment.

Penalty for

stamps will be destroyed upon the withdrawal of the liquor from such hogshead, barrel, keg, or other vessel, upon the introduction of a facuet or other instrument for that purpose; and shall also, at the time of affix-

ing such stamp or stamps as aforesaid, cancel the same by writing or imprinting thereon the name of the person, firm, or corporation by whom such liquor may have been made, or the initial letters thereof, and the date when cancelled. Every brewer who shall refuse or neglect to affix and cancel the stamp or stamps required by law in the manner aforesaid, or who shall affix a false or fraudulent stamp thereto, or knowingly permit the same to be done, shall be liable to pay a penalty of one hundred dol-

ars for each barrel or package on which such omission or fraud occurs, and shall be liable to imprisonment for not more than one year.

for withdrawing any fermented liquor from any hogshead, barrel, keg, or other vessel containing the same, without destroying or defacing the stamp affixed upon the same, or shall withdraw or aid in the withdrawal of any fermented liquor from any hogshead, barrel, keg, or other vessel, upon which the proper stamp shall not have been affixed, or on which a false or fraudulent stamp is affixed, with knowledge that it is such, or on which a stamp once can-

celled is used a second time; and any retail dealer or other person, who

shall withdraw or aid in the withdrawal of any fermented liquor from any hogshead, barrel, keg, or other vessel containing the same, without de-

stroying or defacing the stamp affixed upon the same, or shall withdraw or aid in the withdrawal of any fermented liquor from any hogshead, barrel, keg, or other vessel, upon which the proper stamp shall not have been affixed, or on which a false or fraudulent stamp is affixed, shall be liable to a fine of one hundred dollars, and to imprisonment not more than one year.

Brewers sel-

ing at retail from brewery to affix and cancel propor-

tions of stamps,

Brewers shall

keep account of quantity sold,

Brewers shall

report under oath to assessor monthly, and to send duplicate to collector,

may remove certain malt liquors in certain quantities from the brewery to warehouse without stamps

Stamps to be affixed when liquor is
sold or removed.

included in estimating the commissions of such collector and of the assessor of the same district.

SEC. 53. And be it further enacted, That every brewer shall obtain, from the collector of the district in which his brewery or brewery ware-

house may be situated, and not otherwise, unless said collector shall fail to furnish the same upon application to him, the proper stamp or stamps, and shall affix upon the spigot-hole or tap (of which there shall be but one) of each and every hogshead, barrel, keg, or other receptacle, in which any fermented liquor shall be contained, when sold or removed from such brewery or warehouse, a stamp denoting the amount of the tax required upon such fermented liquor, in such a way that the said stamp or stamps will be destroyed upon the withdrawal of the liquor from such hogshead, barrel, keg, or other vessel, or upon the introduction of a facet or other instrument for that purpose; and shall also, at the time of affix-

ing such stamp or stamps as aforesaid, cancel the same by writing or imprinting thereon the name of the person, firm, or corporation by whom such liquor may have been made, or the initial letters thereof, and the date when cancelled. Every brewer who shall refuse or neglect to affix and cancel the stamp or stamps required by law in the manner aforesaid, or who shall affix a false or fraudulent stamp thereto, or knowingly permit the same to be done, shall be liable to pay a penalty of one hundred dol-

ars for each barrel or package on which such omission or fraud occurs, and shall be liable to imprisonment for not more than one year.

SEC. 54. And be it further enacted, That any brewer, carman, agent for transportation, or other person, who shall sell, remove, receive, or pur-

chase, or in any way aid in the sale, removal, receipt, or purchase of any fermented liquor contained in any hogshead, barrel, keg, or other vessel from any brewery or brewery warehouse, upon which the stamp required by law shall not have been affixed, or on which a false or fraudulent stamp is affixed, with knowledge that it is such, or on which a stamp once can-

celled is used a second time; and any retail dealer or other person, who

shall withdraw or aid in the withdrawal of any fermented liquor from any hogshead, barrel, keg, or other vessel containing the same, without de-

stroying or defacing the stamp affixed upon the same, or shall withdraw or aid in the withdrawal of any fermented liquor from any hogshead, barrel, keg, or other vessel, upon which the proper stamp shall not have been affixed, or on which a false or fraudulent stamp is affixed, shall be liable to a fine of one hundred dollars, and to imprisonment not more than one year.

Every person who shall make, sell, or use any false or counterfeit stamp or die for printing or making stamps which shall be in imitation of or purport to be a lawful stamp or die of the kind before mentioned, or who shall procure the same to be done, shall be imprisoned for not less than one nor more than five years: Provided, That every brewer, who

sells fermented liquor at retail at the brewery or other place where the

same is made, shall affix and cancel the proper stamp or stamps upon the hogsheads, barrels, kegs, or other vessels in which the same is contained, and shall keep an account of the quantity so sold by him, and of the number and size of the hogs-heads, barrels, kegs, or other vessels in which the same may have been contained, and shall make a report thereof, verified by oath, monthly to the assessor, and forward a duplicate of same to the collector of the district; And provided further, That brewers may re-

move malt liquors of their own manufacture from their breweries or other places of manufacture to a warehouse or other place of storage occupied by them within the same district in quantities of not less than six barrels in one vessel without affixing the proper stamp or stamps, but shall affix the same upon such liquor when sold or removed from such warehouse or other place of storage. But when the manufacturer of any ale or porter manufactures the same in one collection district, and owns, occupies, or hires a depot or warehouse for the storage and sale of such ale or porter
in another collection district, he may, without affixing the stamps on the casks at the brewery, as herein provided for, remove or transport, or cause to be removed or transported, said ale or porter, in quantities not less than one hundred barrels at a time, under a permit from the collector of the district wherein said ale or porter is manufactured, to said depot or warehouse, but to no other place, under such rules and regulations as the commissioner of internal revenue may prescribe, and thereafter the manufacturer of the ale or porter so removed shall stamp the same when it leaves such depot or warehouse, in the same manner and under the same penalties and liabilities as when stamped at the brewery as herein provided; and the collector of the district in which such depot or warehouse is situated shall furnish the manufacturer with the stamps for stamping the same, as if the said ale or porter had been manufactured in his district:

And provided further, That where fermented liquor has become sour or damaged, so as to be incapable of use as such, brewers may sell the same for manufacturing purposes, and may remove the same to places where it may be used for such purposes, in casks, or other vessels, unlike those ordinarily used for fermented liquors, containing respectively not less than one barrel each, and having the nature of their contents marked upon them, without affixing thereon the stamp or stamps required.

SEC. 55. And be it further enacted, That every brewer shall mark or cause to be marked, in such manner as shall be prescribed by the commissioner of internal revenue, upon every hogshead, barrel, keg, or other vessel containing the fermented liquor made by him, before it is sold or removed from the brewery, or brewery warehouse, or other place of manufacture, the name of the person, firm or corporation by whom such liquor was manufactured, and the place where the same shall have been made; and any person other than the owner thereof, or his agent, who shall intentionally remove or deface such mark therefrom, shall be liable to a penalty of fifty dollars for each cask from which the mark is so removed or defaced.

SEC. 56. And be it further enacted, That every person other than the purchaser or owner of any fermented liquor, or person acting on his behalf, or as his agent, who shall intentionally remove or deface the stamp affixed upon the hogshead, barrel, keg, or other vessel, in which the same may be contained, shall be liable to a fine of fifty dollars for each such vessel from which the stamp is so removed or defaced, and to render compensation to such purchaser or owner for all damages sustained by him therefrom.

SEC. 57. And be it further enacted, That the ownership or possession by any person of any fermented liquor after its sale or removal from brewery or warehouse, or other place where it was made, upon which the tax required shall not have been paid, shall render the same liable to seizure wherever found, and to forfeiture, and that the want of the proper stamp or stamps upon any hogshead, barrel, keg, or other vessel in which fermented liquor may be contained after its sale or removal from the brewery where the same was made, or warehouse as aforesaid, shall be prima facie evidence of the non-payment thereof.

SEC. 58. And be it further enacted, That every person who shall withdraw any fermented liquor from any hogshead, barrel, keg, or other vessel upon which the proper stamp or stamps shall not have been affixed, for the purpose of bottling the same, or who shall carry on, or attempt to carry on, the business of bottling fermented liquor in any brewery or other place in which fermented liquor is made, or upon any premises having communication with such brewery or any warehouse, shall be liable to a fine of five hundred dollars, and the property used in such bottling or business shall be liable to forfeiture.

SEC. 59. And be it further enacted, That any inspector or revenue officer...
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revenue officers for becoming or being interested in the manufacture of tobacco, snuff, or cigars, and any assessor, collector, inspector, or revenue agent, who shall hereafter become interested, directly or indirectly, in the production, by distillation, or by other process, of spirits, ale, or beer, or other fermented liquors, shall, on conviction before any court of the United States of competent jurisdiction, pay a penalty not less than five hundred dollars, nor more than five thousand dollars, in the discretion of the court. And any such officer interested as aforesaid in any such manufacture at the time this act takes effect, who shall fail to divest himself of such interest within sixty days thereafter, shall be held and declared to have become so interested after this act takes effect.

**SEC. 60.** And be it further enacted, That every internal revenue officer, whose payment, charges, salary, or compensation shall be composed, either wholly or in part, of fees, commissions, allowances, or rewards, from whatever source derived, shall be required to render to the commissioner of internal revenue, under regulations to be approved by the Secretary of the Treasury, a statement under oath setting forth the entire amount of such fees, commissions, emoluments or rewards of whatever nature, or from whatever source received, during the time for which said statement is rendered; and any false statement knowingly and wilfully rendered under the requirements of this section, or regulations established in accordance therewith, shall be deemed wilful perjury, and punished on conviction thereof, as provided in section forty-two of the act of June thirty, eighteen hundred and sixty-four, to which this act is amendement; and any neglect or omission to render such statement when required shall be punished on conviction thereof by a fine of not less than two hundred dollars nor more than five hundred dollars, in the discretion of the court.

**SEC. 61.** And be it further enacted, That so much of this act as changes the existing law relating to distilled spirits and fermented liquors shall take effect from and after the first day of September, eighteen hundred and sixty-six.

**SEC. 62.** And be it further enacted, That if any person or persons shall, directly or indirectly, promise, offer, or give, or cause or procure to be promised, offered, or given, any money, goods, right in action, bribe, present or reward, or any promise, contract, undertaking, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or any other valuable thing whatever to any officer or person holding any place of trust or profit, with intent to influence his action on any thing before him, or to cause him to commit any fraud upon the revenue; or for accepting or receiving the same. [Penalty for giving or offering, &c. to any United States officer or official, with intent to influence his action on any thing before him, or to cause him to commit any fraud upon the revenue; or for accepting or receiving the same. Fine.]

Imprisonment.
victed of so accepting or receiving the same, or any part thereof, if an officer or person holding any such place of trust or profit, shall forfeit his office or place; and any person so convicted under this section shall forever be disqualified to hold any office of honor, trust or profit under the United States.

SEC. 63. And be it further enacted, That hereafter in all cases of seizure of any goods, wares, or merchandise which shall, in the opinion of the collector or deputy collector making such seizure, be of the appraised value of three hundred dollars or less, and which shall have been so seized as being subject to forfeiture under any of the provisions of this act, or of any act to which this is an amendment, excepting in cases otherwise provided, the said collector or deputy collector shall proceed as follows, that is to say: He shall cause a list containing a particular description of the goods, wares, or merchandise seized to be prepared in duplicate, and an appraisement of the same to be made by three sworn appraisers, to be selected by him for said purpose, who shall be respectable and disinterested citizens of the United States residing within the collection district wherein the seizure was made. The aforesaid list and appraisement shall be properly attested by such collector or deputy collector and the persons making the appraisement, for which service said appraisers shall be allowed the sum of one dollar and fifty cents per day each, to be paid as other necessary charges of collectors according to law. If the said goods shall be found by such appraisers to be of the value of three hundred dollars or less, the said collector or deputy collector shall publish a notice for the space of three weeks, in some newspaper of the district where the seizure was made, describing the articles and stating the time, place, and cause of their seizure, and requiring any person or persons claiming them to appear and make such claim within thirty days from the date of the first publication of such notice: Provided, That any person or persons claiming the goods, wares, or merchandise, so seized, within the time specified in the notice, may file with such collector or deputy collector a claim, stating his or their interest in the articles seized, and may execute a bond to the United States in the penal sum of two hundred and fifty dollars, with sureties, to be approved by said collector or deputy collector, conditioned that, in case of condemnation of the articles so seized, the obligors will pay all the costs and expenses of the proceedings, to obtain such condemnation; and upon the delivery of such bond, payable to the said collector, he shall transmit the list of the goods seized to the United States district attorney for the district, who shall proceed thereon in the ordinary manner prescribed by law: And provided also. That if there shall be no claim interposed, and no bond given within the time above specified, the collector or deputy collector, as the case may be, shall give ten days' notice of the sale of the goods, wares, or merchandise, by publication; and at the time and place specified in said notice, shall sell the article so seized at public auction, and after deducting the expenses of appraisal and sale he shall deposit the proceeds to the credit of the Secretary of the Treasury: Provided, That it shall be satisfactorily shown that the applicant, at the time of the seizure and sale of the goods in question, and during the intervening time, was absent out of the United States, or in such circumstances as prevented him from knowing of such seizure, and that he did not know of the same; and also that the said forfeiture was incurred without willful negligence or any intention of fraud on the part of the
If no application is made within one year, proceeds of sale to be distributed.

Reorganization of office of commissioner of internal revenue

Commissioner. 

Deputy commissioner. 

Additional officers and clerks.

Two deputy commissioners 

Solicitor. 

Heads of divisions. 

Clerks. 

Messengers. 

Assistant messengers and laborers. 

Appropriation.

Official communications between certain revenue officers to be free of postage.

Special commissioner of the revenue

Term of office.

Duties.

To report from time to time modifications of rates of taxation, &c.

Special commissioner may examine books.
summon witnesses, and take testimony; and each and every such person falsely swearing or affirming shall be subject to the penalties and disabili-
ties prescribed by law for the punishment of corrupt and wilful perjury; and all officers of the government are hereby required to extend to the said commissioner all reasonable facilities for the collection of information pertinent to the duties of his office. And the said special commissioner shall be paid an annual salary of four thousand dollars, and the travelling expenses necessarily incurred while in the discharge of his duty; and all letters and documents to and from the special commissioner relating to the duties and business of his office shall be transmitted by mail free of post-
age. And section nineteen of an act entitled “An act to amend an act entitled ‘An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,” approved June thirtieth, eighteen hundred and sixty-four,” approved March third, eighteen hundred and sixty-five, be, and the same is hereby, repealed.

SEC. 67. And be it further enacted, That in any case, civil or crim-
inal, where suit or prosecution shall be commenced in any court of any State against any officer of the United States, appointed under or acting by authority of the act entitled “An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,” passed June thirtieth, eighteen hundred and sixty-four, or of any act in addition thereto or in amendment thereof, or against any person acting under or by authority of any such officer on account of any act done under color of his office, or against any person holding property or estate by title derived from any such officer, concerning such property or estate, and affecting the validity of this act or acts of which it is amendatory, it shall be lawful for the defendant, in such suit or prosecution, at any time before trial, upon a petition to the circuit court of the United States in and for the district in which the defendant shall have been served with process, setting forth the nature of said suit or prosecution, and verifying the said petition by affidavit, together with a certificate, signed by an attorney or counsellor at law of some court of record of the State in which such suit shall have been commenced, or of the United States, setting forth that, as counsel for the petitioner, he has examined the proceedings against him, and carefully inquired into all the matters set forth in the petition, and that he believes the same to be true; which petition, affidavit, and certificate shall be presented to the said circuit court if in session, and if not, to the clerk thereof, at his office, and shall be filed in said office, and the cause shall thereupon be entered on the docket of said court, and shall be thereafter proceeded in as a cause, origi-
nally commenced in that court; and it shall be the duty of the clerk of said court, if the suit were commenced in the court below by summons, to issue a writ of certiorari to the State court, requiring said court to send to the said circuit court the record and proceedings in said cause; or if it were commenced by capias, he shall issue a writ of habeas corpus cum causa, a duplicate of which said writ shall be delivered to the clerk of the State court, or left at his office, by the marshal of the district, or his de-
puty, or some person duly authorized thereto, and thereupon it shall be the duty of the said State court to stay all further proceedings in such

cause, and the said suit or prosecution, upon delivery of such process, or

leaving the same as aforesaid, shall be deemed and taken to be moved to the said circuit court, and any further proceedings, trial, or judgment therein in the State court shall be wholly null and void. And if the de-

fendant in any such suit be in actual custody on mesne, process therein, it shall be the duty of the marshal, by virtue of the writ of habeas corpus cum causa, to take the body of the defendant into his custody, to be dealt with in the said cause according to the rules of law and the order of the circuit court, or of any judge thereof in vacation. All attachments made and all bail and other security given upon such suit or prosecution shall

&c. of any off-

cer of revenue, &c.

False swearing

before him to be

perjury.

Government

officers to extend

facilities.

Salary.

Franking pri-

vilege.

Repeal of § 19

of act of 1865,

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In all suits

against revenue

officers, or per-

sons acting un-
der them, &c.

and affecting the

validity of this

act, &c., defen-
dant may re-

move the suit to

the United States

circuit court at

any time before

trial.

Petition, &c.

Duty of clerk

circuit court.

Petitioner.

Habeas corpus
cum causa.

How served.

State court to

stay proceed-

ings, and further

acts theran

void.

If defendant in
custody, mar-

shall to take the

body.

Attachments,
bail, &c. to con-
tinue.
be and continue in like force and effect as if the same suit or prosecution had proceeded to final judgment and execution in the State court; and if, upon removal of any such suit or prosecution, it shall be made appear to the said circuit court that no copy of the record and proceedings therein in the State court can be obtained, it shall be lawful for said circuit court to allow and require the plaintiff to proceed de novo, and to file a declaration of his cause of action, and the parties may thereupon proceed as in action[s] originally brought in said circuit court; and, on failure of so proceeding, judgment of nolle prosequi may be rendered against the plaintiff, with costs for the defendant; Provided, That an act entitled "An act further to provide for the collection of duties on imports," passed March second, eighteen hundred and thirty-three, shall not be so construed as to apply to cases arising under an act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," passed June thirtieth, eighteen hundred and sixty-four, or any act in addition thereto or in amendment thereof, nor to any case in which the validity or interpretation of said act or acts shall be in issue: Provided further, That if any officer appointed under and by virtue of any act to provide internal revenue, or any person acting under or by authority of any such officer, shall receive any injury to his person or property, for or on account of any act by him done, under any law of the United States, for the collection of taxes, he shall be entitled to maintain suit for damage therefor in the circuit court of the United States, in the district wherein the party doing the injury may reside or shall be found. And all property taken or detained by any officer or other person under authority of any revenue law of the United States shall be irrepleviable, and shall be deemed to be in the custody of the law, and subject only to the orders and decrees of the courts of the United States having jurisdiction thereof. And if any person shall dispossess or seize, or attempt to dispossess or rescue, any property so taken or detained as aforesaid, or shall aid or assist therein, such person shall be deemed guilty of a misdemeanor, and shall be liable to such punishment as is provided by the twenty-second section of the act for the punishment of certain crimes against the United States, approved the thirtieth day of April, anno Domini one thousand seven hundred and ninety, for the willful obstruction or resistance of officers in the service of process.

SEC. 68. And be it further enacted, That the fiftieth section of an act passed June thirtieth, eighteen hundred and sixty-four, entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," is hereby repealed: Provided, That any case which may have been removed from the courts of any State under said fiftieth section to the courts of the United States shall be remanded to the State court from which it was so removed, with all the records relating to such cases, unless the justice of the circuit court of the United States in which such suit or prosecution is pending shall be of opinion that said case would be removable from the court of the State to the circuit court under and by virtue of the sixty-seventh section of this act. And in all cases which may have been removed from any court of any State under and by virtue of said fiftieth section of said act of June thirtieth, eighteen hundred and sixty-four, all attachments made, and all bail or other security given upon such suit or prosecution, shall be and continue in full force and effect until final judgment and execution, whether such suit shall be prosecuted to final judgment in the circuit court of the United States, or remanded to the State court from which it was removed.

SEC. 69. And be it further enacted, That whenever a writ of error shall be issued for the revision of any judgment or decree in any criminal proceeding where is drawn in question the construction of any statute of the United States, in a court of any State, as is provided in the twenty-
fifth section of an act entitled "An act to establish the judicial courts of the United States," passed September twenty-fourth, seventeen hundred and eighty-nine, the defendant, if charged with an offence bailable by the laws of such State, shall not be released from custody until a final judgment upon such writ, or until a bond, with sufficient sureties, in a reasonable sum, as ordered and approved by the State court, shall be given; and if the offence is not so bailable, until a final judgment upon the writ of error. Writs of error in criminal cases shall have precedence upon the docket of the Supreme Court of all cases to which the government of the United States is not a party, excepting only such cases as the court at their discretion, may decide to be of public importance.

SEC. 70. And be it further enacted, That this act shall take effect, where not otherwise provided, on the first day of August, eighteen hundred and sixty-six, and all provisions of any former act inconsistent with the provisions of this act are hereby repealed: Provided, however, That all the provisions of said acts shall be in force for collecting all taxes, duties and licenses properly assessed or liable to be assessed, or accruing under the provisions of acts, the right to which has already accrued of which may hereafter accrue under said acts, and for maintaining and continuing liens, fines, penalties, and forfeitures incurred under and by virtue thereof, and for carrying out and completing all proceedings which have been already commenced, or that may be commenced, to enforce such fines, penalties, and forfeitures, or criminal proceedings under said acts, and for the punishment of crimes of which any party shall be or has been found guilty: And provided further, That whenever the duty imposed by any existing law shall cease in consequence of any limitation therein contained before the respective provisions of this act shall take effect, the same duty shall be, and is hereby, continued until such provisions of this act shall take effect; and where any act is hereby repealed, no duty imposed thereby shall be held to cease, in consequence of such repeal, until the respective corresponding provisions of this act shall take effect: And provided further, That all manufactures and productions on which a duty was imposed by either of the acts repealed by this act, which shall be in the possession of the manufacturer or producer, or of his agent or agents, on the day when this act takes effect, the duty imposed by any such former act not having been paid, shall be held and deemed to have been manufactured or produced after such date; and whenever by the terms of this act a duty is imposed upon any articles, goods, wares, or merchandise, manufactured or produced, upon which no duty was imposed by either of said former acts, it shall apply to such as were manufactured or produced, and not removed from the place of manufacture or production, on the day when this act takes effect. And the commissioner of internal revenue, under the direction of the Secretary of the Treasury, is authorized to make all necessary regulations and prescribe all necessary forms and proceedings for the collection of such taxes and the enforcement of such fines and penalties for the execution of the provisions of this act.

SEC. 71. And be it further enacted, That it shall be the duty of the commissioner of internal revenue to have this act, and the acts to which it is amendatory, published in at least one German newspaper in each of the States of the Union where such paper may be published.

APPROVED, July 13, 1866.

CHAP. CC — An Act to continue in force and to amend "An Act to establish a Bureau for the Relief of Freedmen and Refugees," and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act to establish a bureau for the relief of freedmen and refugees, approved March third, eighteen hundred and sixty-five, shall continue in force for the term of two years from and after the passage of this act.

July 16, 1866.
1866, ch. 90
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Act establishing bureau for relief of freedmen, &c; continued in force for two years.
SEC. 2. And be it further enacted, That the supervision and care of said bureau shall extend to all loyal refugees and freedmen, so far as the same shall be necessary to enable them as speedily as practicable to become self-supporting citizens of the United States, and to aid them in making the freedom conferred by proclamation of the commander-in-chief, by emancipation under the laws of States, and by constitutional amendment, available to them and beneficial to the republic.

SEC. 3. And be it further enacted, That the President shall, by and with the advice and consent of the Senate, appoint two assistant commissioners, in addition to those authorized by the act to which this is an amendment, who shall give like bonds and receive the same annual salaries provided in said act, and each of the assistant commissioners of the bureau shall have charge of one district containing such refugees or freedmen, to be assigned him by the commissioner with the approval of the President. And the commissioner shall, under the direction of the President, and so far as the same shall be, in his judgment, necessary for the efficient and economical administration of the affairs of the bureau, appoint such agents, clerks, and assistants as may be required for the proper conduct of the bureau. Military officers or enlisted men may be detailed for service and assigned to duty under this act; and the President may, if in his judgment safe and judicious so to do, detail from the army all the officers and agents of this bureau; but no officer so assigned shall have increase of pay or allowances. Each agent or clerk, not heretofore authorized by law, not being a military officer, shall have an annual salary of not less than five hundred dollars, nor more than twelve hundred dollars, according to the service required of him. And it shall be the duty of the commissioner, when it can be done consistently with public interest, to appoint, as assistant commissioners, agents, and clerks, such men as have proved their loyalty by faithful service in the armies of the Union during the rebellion. And all persons appointed to service under this act and the act to which this is an amendment, shall be so far deemed in this act to be under the military jurisdiction, and entitled to the military protection of the government while in discharge of the duties of their office.

SEC. 4. And be it further enacted, That officers of the veteran reserve corps or of the volunteer service, now on duty in the Freedmen's Bureau as assistant commissioners, agents, medical officers, or in other capacities, whose regiments or corps have been or may hereafter be mustered out of service, may be retained upon such duty as officers of said bureau, with the same compensation as is now provided by law for their respective grades; and the Secretary of War shall have power to fill vacancies until other officers can be detailed in their places without detriment to the public service.

SEC. 5. And be it further enacted, That the second section of the act to which this is an amendment shall be deemed to authorize the Secretary of War to issue such medical stores or other supplies and transportation, and afford such medical or other aid as here may be needful for the purposes named in said section: Provided, That no person shall be deemed "destitute," "suffering," or "dependent upon the government for support," within the meaning of this act, who is able to find employment, and could, by proper industry or exertion, avoid such destitution, suffering, or dependence.

SEC. 6. Whereas, by the provisions of an act approved February sixth, eighteen hundred and sixty-three, entitled "An act to amend an act entitled "An act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes," approved June seventh, eighteen hundred and sixty-two," certain lands in the parishes of St. Helena and Saint Luke, South Carolina, were bid in by the United States at public tax sales, and by the limitation of said act the tune of
redemption of said lands has expired; and whereas, in accordance with instructions issued by President Lincoln on the sixteenth day of September, eighteen hundred and sixty-three, to the United States direct tax commissioners for South Carolina, certain lands bid in by the United States in the parish of Saint Helena, in said State, were in part sold by the said tax commissioners to "heads of families of the African race," in parcels of not more than twenty acres to each purchaser; and whereas, under said instructions, the said tax commissioners did also set apart as "school farms" certain parcels of land in said parish, numbered on their plat from one to thirty-three, inclusive, making an aggregate of six thousand acres, more or less: Therefore, be it further enacted, That the sales made to "heads of families of the African race," under the instructions of President Lincoln to the United States direct tax commissioners for South Carolina, of date of September sixteenth, eighteen hundred and sixty-three, are hereby confirmed and established; and all leases which have been made to such "heads of families," by said direct tax commissioners, shall be changed into certificates of sale in all cases wherein the lease provides for such substitution; and all the lands now remaining unsold, which come within the same designation, being eight thousand acres more or less, shall be disposed of according to said instructions.

SEC. 7. And be it further enacted, That all other lands bid in by the United States at tax sales, being thirty-eight thousand acres more or less, and now in the hands of the said tax commissioners as the property of the United States, in the parishes of Saint Helena and Saint Luke, excepting the "school farms" as specified in the preceding section, and so much as may be necessary for military and naval purposes at Hilton Head, Bay Point, and Land's End, and excepting also the city of Port Royal, on Saint Helena Island, and the town of Beaufort, shall be disposed of in parcels of twenty acres, at one dollar and fifty cents per acre, to such persons and to such only as have acquired and are now occupying lands under and according to the provisions of General Sherman's special field order, dated at Savannah, Georgia, January sixteenth, eighteen hundred and sixty-five; and the remaining lands, if any, shall be disposed of in like manner to such persons as had acquired lands agreeably to the said order of General Sherman, but who have been dispossessed by the restoration of the same to former owners: Provided, That the lands sold in compliance with the provisions of this and the preceding section shall not be alienated by their purchasers within six years from and after the passage of this act.

SEC. 8. And be it further enacted, That the "school farms" in the parish of Saint Helena, South Carolina, shall be sold, subject to any leases of the same, by the said tax commissioners, at public auction, on or before the first day of January, eighteen hundred and sixty-seven, not less than ten dollars per acre; and the lots in the city of Port Royal, as laid down by the said tax commissioners, and the lots and houses in the town of Beaufort, which are still held in like manner, shall be sold at public auction; and the proceeds of said sales, after paying expenses of the surveys and sales, shall be invested in United States bonds, the interest of which shall be appropriated, under the direction of the commissioner, to the support of schools, without distinction of color or race, on the islands in the parishes of Saint Helena and Saint Luke.

SEC. 9. And be it further enacted, That the assistant commissioners for South Carolina and Georgia are hereby authorized to examine all claims to lands in their respective States which are claimed under the provisions of General Sherman's special field order, and to give each person having a valid claim a warrant upon the direct tax commissioners for South Carolina for twenty acres of land; and the said direct tax commissioners shall issue to every person, or to his or her heirs, but in no case to any assigns, presenting such warrant, a lease of twenty acres of land, as pro-
Persons holding leases are entitled to certificates of sale. No warrant to be valid for over two years. Lands designated in section seven to be surveyed into lots of twenty acres each, &c.

Sec. 10. And be it further enacted, That the direct tax commissioners for South Carolina are hereby authorized and required at the earliest day practicable to survey the lands designated in section seven into lots of twenty acres each, with proper metes and bounds distinctly marked, so that the several tracts shall be convenient in form, and as near as practicable have an average of fertility and woodland; and the expense of such surveys shall be paid from the proceeds of sales of said lands, or, if sooner required, out of any moneys received for other lands on these islands, sold by the United States for taxes, and now in the hands of the direct tax commissioners.

Sec. 11. And be it further enacted, That restoration of lands occupied by freedmen under General Sherman's field order dated at Savannah, Georgia, January sixteenth, eighteen hundred and sixty-five, shall not be made until the crops of the present year shall have been gathered by the occupants of said lands, nor until a fair compensation shall have been made to them by the former owners of such lands, or their legal representatives, for all improvements or betterments erected or constructed thereon, and after due notice of the same being done shall have been given by the assistant commissioner.

Sec. 12. And be it further enacted, That the commissioner shall have power to seize, hold, use, lease, or sell all buildings and tenements, and any lands appertaining to the same, or otherwise, formerly held under color of title by the late so-called confederate states, and not heretofore disposed of by the United States, and any buildings or lands held in trust for the same by any person or persons, and to use the same or appropriate the proceeds derived therefrom to the education of the freed people; and whenever the bureau shall cease to exist, such of said so-called confederate states as shall have made provision for the education of their citizens without distinction of color shall receive the sum remaining unexpended of such sales or rentals, which shall be distributed among said states for educational purposes in proportion to their population.

Sec. 13. And be it further enacted, That the commissioner of this bureau shall at all times co-operate with private benevolent associations of citizens in aid of freedmen, and with agents and teachers, duly accredited and appointed by them, and shall hire or provide by lease buildings for purposes of education whenever such associations shall, without cost to the government, provide suitable teachers and means of instruction, and he shall furnish such protection as may be required for the safe conduct of such schools.

Sec. 14. And be it further enacted, That in every State or district where the ordinary course of judicial proceedings has been interrupted by the rebellion, and until the same shall be fully restored, and in every State or district whose constitutional relations to the government have been practically discontinued by the rebellion, and until such State shall have been restored in such relations, and shall be duly represented in the Congress of the United States, the right to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to have full and equal benefit of all laws and proceedings concerning personal liberty, personal security, and the acquisition, enjoyment, and disposition of estate, real and personal, including the constitutional right to bear arms, shall be secured to and enjoyed by all the citizens of such State or district without respect to race.
or color, or previous condition of slavery. And whenever in either of
said States or districts the ordinary course of judicial proceedings has
been interrupted by the rebellion, and until the same shall be fully re-
stored, and until such State shall have been restored in its constitutional
relations to the government, and shall be duly represented in the Congress
of the United States, the President shall, through the commissioner and
the officers of the bureau, and under such rules and regulations as the
President, through the Secretary of War, shall prescribe, extend military
protection and have military jurisdiction over all cases and questions con-
cerning the free enjoyment of such immunities and rights, and no penalty
or punishment for any violation of law shall be imposed or permitted be-
cause of race or color, or previous condition of slavery, other or greater
than the penalty or punishment to which white persons may be liable by
law for the like offence. But the jurisdiction conferred by this section
upon the officers of the bureau shall not exist in any State where the
ordinary course of judicial proceedings has not been interrupted by the
rebellion, and shall cease in every State when the courts of the State and
the United States are not disturbed in the peaceable course of justice, and
after such State shall be fully restored in its constitutional relations to the
government, and shall be duly represented in the Congress of the United
States.

SEC. 15. And be it further enacted, That all officers, agents, and
employees of this bureau, before entering upon the duties of their office
shall take the oath prescribed, in the first section of the act to which this
is an amendment; and all acts or parts of acts inconsistent with the pro-
visions of this act are hereby repealed.

SCHUYLER COLFAX,
Speaker of the House of Representatives.
LA FAYETTE S. FOSTER,
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
July 16, 1866.

The President of the United States having returned to the House of
Representatives, in which it originated, the bill entitled "An act to con-
tinue in force and to amend 'An act to establish a bureau for the relief
of freedmen and refugees,' and for other purposes," with his objections
thereto, the House of Representatives proceeded, in pursuance of the
Constitution, to reconsider the same; and

Resolved. That the said bill pass, two thirds of the House of Repre-
sentatives agreeing to pass the same.

Attest:
EWD. MCPHERSON,
Clerk H. Reps, U. S.

IN THE SENATE OF THE UNITED STATES,
July 16, 1866.

The Senate having proceeded, in pursuance of the Constitution, to re-
consider the bill entitled "An act to continue in force and to amend 'An
act to establish a bureau for the relief of freedmen and refugees,' and
for other purposes," returned to the House of Representatives by the
President of the United States, with his objections, and sent by the House
of Representatives to the Senate with the message of the President re-
turning the bill;

Resolved, That the bill do pass, two thirds of the Senate agreeing to
pass the same.

Attest:
J. W. FORNEY,
Secretary of the Senate, U. S.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of this act, the term "vessel," whenever hereinafter used, shall be held to include every description of water-craft, raft, vehicle, and contrivance used or capable of being used as a means or auxiliary of transportation on or by water; and the term "vehicle," whenever hereinafter used, shall be held to include every description of carriage, wagon, engine, car, sleigh, sled, sledge, hurdle, cart, and other artificial contrivance, used or capable of being used as a means or auxiliary of transportation on land.

SEC. 2. And be it further enacted, That it shall be lawful for any officer of the customs, including inspectors and occasional inspectors, or of a revenue cutter, or authorized agent of the Treasury Department, or other person specially appointed for the purpose in writing by a collector, naval officer, or surveyor of the customs, to go on board of any vessel, as well without as within his district, and to inspect, search, and examine the same, and any person, trunk, or envelope on board, and to this end, to hail and stop such vessel if under way, and to use all necessary force to compel compliance; and if it shall appear that any breach or violation of the laws of the United States has been committed, whereby or in consequence of which, such vessel, or the goods, wares, and merchandise, or any part thereof, on board of or imported by such vessel, is or are liable to forfeiture, to make seizure of the same, or either or any part thereof, and to arrest, or in case of escape, or any attempt to escape, to pursue and arrest any person engaged in such breach or violation: Provided, That the original appointment in writing of any person specially appointed as aforesaid shall be filed in the custom-house where such appointment is made.

SEC. 3. And be it further enacted, That any of the officers or persons authorized by the second section of this act to board or search vessels may stop, search, and examine, as well without as within their respective districts, any vehicle, beast, or person on which or whom he or they shall suspect there are goods, wares, or merchandise which are subject to duty or shall have been introduced into the United States in any manner contrary to law, whether by the person in possession or charge, or by, in, or upon such vehicle or beast, or otherwise, and to search any trunk or envelope, wherever found, in which he may have a reasonable cause to suspect there are goods which were imported contrary to law; and if any such officer or other person so authorized as aforesaid shall find any goods, wares, or merchandise, on or about any such vehicle, beast, or person, or in any such trunk or envelope, which he shall have reasonable cause to believe are subject to duty, or to have been unlawfully introduced into the United States, whether by the person in possession or charge, or by, in, or upon such vehicle or beast, or otherwise, he shall seize and secure the same for trial; and every such vehicle and beast, or either, together with teams or other motive-power used in conveying, drawing, or propelling such vehicle, goods, wares, or merchandise, and all other appurtenances, including trunks, envelopes, covers, and all means of concealment, and all the equipage, trappings, and other appurtenances of such beast, team, or vehicle shall be subject to seizure and forfeiture; and if any person who may be driving or conducting, or in charge of any such carriage or vehicle or beast, or any person travelling, shall wilfully refuse to stop and allow search and examination to be made as herein provided, when required so to do by any authorized person, he or she shall, on conviction, be fined in any sum, in the discretion of the court convicting him or her, not exceeding one thousand dollars, nor less than fifty dollars; and the Secretary of the Treasury may from time to time prescribe regulations for the search of persons and baggage, and for the employment of female inspectors for the examination and search of persons of their own sex; and all persons coming into the United States from foreign countries
shall be liable to detention and search by authorized officers or agents of
the government, under such regulations as the Secretary of the Treasury
shall from time to time prescribe: Provided, That no railway car or en-
gine or other vehicle, or team used by any person or corporation, as com-
mon carriers in the transaction of their business as such common carriers
shall be subject to forfeiture by force of the provisions of this act unless it
shall appear that the owners, superintendent, or agent of the owner in
charge thereof at the time of such unlawful importation or transportation
thereon or thereby, was a consenting party, or privy to such illegal im-
portation or transportation.

SEC. 4. And be it further enacted, That if any person shall fraudulently
or knowingly import or bring into the United States, or assist in so do-
ing, any goods, wares, or merchandise, contrary to law, or shall receive,
conceal, buy, sell, or in any manner facilitate the transportation, conceal-
ment, or sale of such goods, wares, or merchandise, after their importation,
knowing the same to have been imported contrary to law, such goods,
wares, and merchandise shall be forfeited, and he or she shall, on convic-
tion thereof before any court of competent jurisdiction, be fined in any
sum not exceeding five thousand dollars nor less than fifty dollars, or be
imprisoned for any time not exceeding two years, or both, at the discre-
 tion of such court; and in all cases where the possession of such goods shall
be shown to be in the defendant, or where the defendant shall be shown to
have had possession thereof, such possession shall be deemed evidence
sufficient to authorize conviction, unless the defendant shall explain the
possession to the satisfaction of the jury.

SEC. 5. And be it further enacted, That any person authorized by this
act to make searches and seizures, or any person assisting him or acting
under his directions, may, if deemed necessary by him or them, enter into
or upon or pass through the lands, enclosures, and buildings, other than
the dwelling-house of any person whomsoever, in the night or in the day-
time, in order to the more effectual discharge of his or their official duties.

SEC. 6. And be it further enacted, That if any person shall forcibly as-
sault, resist, oppose, prevent, impede, or interfere with any officer of the
customs or his deputy or deputies, or any person assisting them or either
to discharge their duties, or any person authorized by this act to make
searches or seizures, in the execution of his duty, or shall rescue,
or attempt to rescue, or cause to be rescued, any property which shall
have been seized by any person authorized as aforesaid, or shall before,
at, or after any such seizure, in order to prevent the seizure or securing
of any goods, wares, or merchandise by any person authorized as afores-
said, steal, break, throw overboard, destroy, or remove the same, the per-
son so offending shall, for every such offence, on conviction thereof, forfeit
and pay a sum of not less than one hundred dollars, nor more than two
thousand dollars, or shall be imprisoned not less than one month nor more
than one year, or both, at the discretion of the court convicting him or her,
and shall stand committed until such fine and the costs of prosecution
shall have been fully paid; and if any person shall discharge any deadly
weapon at any person authorized as aforesaid to make searches or seiz-
ures, or shall use any deadly or dangerous weapon in resisting him in the
execution of his duty, with intent to commit a bodily injury upon him, or
to deter or prevent him from discharging his duty, every person so of-
fending shall, upon conviction thereof, be deemed guilty of felony, and
shall be imprisoned at hard labor for a term not exceeding ten years nor
less than one year.

SEC. 7. And be it further enacted, That it shall be the duty of the sev-
eral collectors of customs to report within ten days to the district attorney
of the district in which any fine or personal penalty may be incurred for
the violation of any law of the United States relating to the revenue, in
all cases which such fine or penalty shall not be voluntarily paid, a state-
ment of all the facts and circumstances of the case within their knowledge, together with the names of the witnesses, and which may come to their knowledge from time to time, stating the provisions of the law believed to be violated, and on which a reliance may be had for a condemnation or conviction; and such district attorney shall cause suit and prosecution to be commenced and prosecuted without delay for the fines and personal penalties by law in such case provided, unless upon inquiry and examination he shall decide that a conviction cannot probably be obtained, or that the ends of public justice do not require that a suit or prosecution should be instituted, in which case he shall report the facts to the Secretary of the Treasury for his direction; and for expenses incurred and services rendered in prosecutions for such fines and personal penalties, the district attorney shall receive such allowance as the Secretary of the Treasury shall deem just and reasonable, upon the certificate of the judge before whom such prosecution was had; and if any collector shall in any case fail to report to the proper district attorney, as prescribed in this section, such collector’s share of any fine or penalty imposed or incurred in such case shall be forfeited to the United States, and the same shall be awarded to such persons as may make complaint and prosecute the same to conviction.

SEC. 8. And be it further enacted, That in any case where a vessel or the owner, master, or manager of a vessel shall be subject to a penalty for a violation of the revenue laws of the United States, such vessel shall be held for the payment of such penalty, and may be seized and proceeded against summarily, by libel, to recover such penalty, in any district court of the United States having jurisdiction of the offence.

SEC. 9. And be it further enacted, That the act entitled “An act further to regulate the entry of merchandise imported into the United States from any adjacent territory,” approved March two, eighteen hundred and twenty-one, be, and the same is hereby, so amended that wherever in said act the word “merchandise” occurs, the same shall read “goods, wares, or merchandise.”

SEC. 10. And be it further enacted, That every officer or other person authorized to make searches and seizures by this act shall, at the time of executing any of the powers conferred upon him by this act, make known, upon being questioned, his character as an officer or agent of the customs government, and shall have authority to demand of any person, within the distance of three miles to assist him in making any arrest, search, or seizure authorized by this act, where such assistance may be necessary; and if such person shall without reasonable excuse neglect or refuse so to assist, upon proper demand, he shall be deemed guilty of a misdemeanor, and shall forfeit a sum not exceeding two hundred dollars, nor less than five dollars.

SEC. 11. And be it further enacted, That in all cases of seizure of property subject to forfeiture for any of the causes named in this act, or any other act relating to the customs or the registering, enrolling, or licensing of vessels, now in force, when, in the opinion of the collector or other principal officer of the revenue making such seizure, the value of the property so seized shall not exceed five hundred dollars, he shall cause a list and particular description of the property so seized to be prepared in duplicate, and an appraisement of the same to be made by two sworn appraisers under the revenue laws, if there are such appraisers at or near the place of seizure; but if there are no such appraisers, then by two competent and disinterested citizens of the United States, to be selected by him for that purpose, residing at or near the place of seizure; which list and appraisement shall be properly attested by such collector or other officer and the persons making the appraisal; and for such services of the appraisers they shall be allowed out of the revenue one dollar and fifty cents each for every day necessarily employed in such service. If
the amount of such appraisal shall not exceed the sum of five hundred dollars, said collector or other principal officer shall publish a notice once a week for three successive weeks in some newspaper of the county or place where such seizure shall have been made, if any newspaper shall be published in said county; but if no newspaper shall be published in said county, then such notice shall be published in some newspaper of the county in which the principal customs office of the district shall be situated; and if no newspaper shall be published in such county, then notices shall be posted in proper public places, which notices shall describe the articles seized, and state the time, cause, and place of seizure, and shall require any person claiming such articles to appear and file with such collector or other officer his claim to such articles within twenty days from the date of the first publication of such notice.

SEC. 12. And be it further enacted, That any person claiming the property so seized may, at any time within twenty days from the date of such publication, file with the collector or other officer a claim, stating his or her interest in the articles seized, and, upon depositing with such collector or other officer a bond to the United States in the penal sum of two hundred and fifty dollars, with two sureties, to be approved by such collector or other officer, conditioned that, in case of the condemnation of the articles so claimed, the obligors shall pay all the costs and expenses of the proceedings to obtain such condemnation. Such collector or other officer shall transmit the same, with the duplicate list and description of the articles seized and claimed, to the United States district attorney for the district, who shall proceed for a condemnation of the property in the ordinary mode prescribed by law. But if no such claim shall be filed nor bond given within the twenty days above specified, such collector or other officer shall give not less than fifteen days' notice of the sale of the property so seized, by publication in the manner before mentioned, and, at the time and place specified in such notice, he shall sell at public auction the property so seized, and shall deposit the proceeds, after deducting the actual expenses of such seizure, publication, and sale, to the credit of the Treasurer of the United States, as shall be directed by the Secretary of the Treasury: Provided, That the collector shall have power to adjourn such sale from time to time for a period not exceeding thirty days in all.

SEC. 13. And be it further enacted, That any person claiming to be interested in the property sold under the provisions of the preceding section may, within three months after such sale, apply to the Secretary of the Treasury for a remission of the forfeiture and a restoration of the proceeds of such sale, and the same may be granted by said Secretary, upon satisfactory proof, to be furnished in such manner as he shall direct, that the applicant, at the time of the seizure and sale of the property in question, did not know of the seizure, and was in such circumstances as prevented him from knowing of the same, and that said forfeiture was incurred without wilful negligence or any intention of fraud on the part of the owner of such property.

SEC. 14. And be it further enacted, That if no application for such remission or restoration shall be made within three months after such sale, the Secretary of the Treasury shall then cause the proceeds of such sale to be distributed in the same manner as if such property had been condemned and sold in pursuance of a decree of a competent court.

SEC. 15. And be it further enacted, That whenever seizure shall be made of any property which, in the opinion of the appraisers, shall be liable to perish or waste, or to be greatly reduced in value by keeping, or cannot be kept without great disproportionate expense, whether such seizure consist of live animals, or goods, wares, or merchandise, and when the property thus seized shall not exceed five hundred dollars in value, and when no claim shall have been interposed therefor as is heretofore
provided, the said appraisers, if requested by the collector or principal officer making the seizure at the time when such appraisal is made, shall certify on oath in their appraisal their belief that the property seized is liable to speedy deterioration, or that the expenses of its keeping will largely reduce the net proceeds of the sale; and in case the appraisers thus certify, such collector or other officer may proceed to advertise and sell the same at auction, by giving notice for such time as he may think reasonable, but not less than one week, of such seizure and intended sale, by advertisement as is hereinbefore provided; and the proceeds of such sale shall be deposited to the credit of the Treasurer of the United States, subject, nevertheless, to the payment of such claims as shall be presented within three months from the day of sale, and allowed by the Secretary of the Treasury.

Sec. 16. And be it further enacted, That the Secretary of the Treasury shall have authority to ascertain the facts upon all applications for remission of fines, penalties, and forfeitures incurred or accruing under the revenue laws, where the amount in question does not exceed one thousand dollars, in such manner and under such regulations as he may deem proper; and he may thereupon remit or mitigate such fines, penalties, or forfeitures, if in his opinion the same shall have been incurred without wilful negligence or any intention of fraud.

Sec. 17. And be it further enacted, That whenever the proper officer of the customs shall be duly notified of the existence of a lien upon imported goods, wares, or merchandise in his custody, he shall, before delivering such goods, wares, or merchandise to the importer, owner, or consignee thereof, give seasonable notice to the party or parties claiming the lien; and the possession by the officers of customs shall not affect the discharge of such lien: Provided, That the rights of the government shall not be prejudiced thereby. And the Secretary of the Treasury may prescribe all needful regulations to carry this provision into effect: And provided, That neither the United States nor its officers shall be in any manner liable for losses incurred in consequence of the omission by accident and without their fault of officers of the customs to give the notice aforesaid.

Sec. 18. And be it further enacted, That nothing in this act contained shall be taken to abridge or limit any forfeiture, penalty, fine, liability, or remedy provided for or existing under any law now in force, except as herein otherwise specially provided.

Sec. 19. And be it further enacted, That where the value of goods, wares, or merchandise imported or brought into the United States shall not exceed one hundred dollars, the collector is authorized in his discretion to admit the same to entry without the production of the triplicate invoice, if, &c.

Sec. 20. And be it further enacted, That if any goods, wares, or merchandise be laden upon any vessel belonging wholly or in part to a subject or subjects of a foreign country or countries, and shall be taken thence to a foreign port or place, to be reladen and reshipped to any other port or place in the United States on those frontiers, either by the same or any other vessel, foreign or American, with intent to evade the provisions of the fourth section of "the act concerning the navigation of the United States," approved March one, eighteen hundred and seventeen, the said goods, wares, and merchandise
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shall, on their arrival at such last-named port or place, be seized and forfeited to the United States, and the vessel shall pay a tonnage duty of fifty cents per ton on her admeasurement.

SEC. 21. And be it further enacted, That all steam tug-boats, not of the United States, found employed in towing documented vessels of the United States plying from one port or place in the same to another, shall forfeit and pay the sum of fifty cents per ton on the admeasurement of every such vessel so towed by them respectively, as aforesaid, which sum may be recovered by way of libel or suit.

SEC. 22. And be it further enacted, That if any vessel enrolled or licensed to engage in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States, shall touch at any port or place in the adjacent British provinces, and the master or other person having charge of such vessel shall purchase any goods, wares, or merchandise, for the use of said vessel, said master or other person having charge of said vessel shall report the same, with cost and quantity thereof, to the collector or other officer of the customs at the first port in the United States at which he shall next arrive, designating them "sea stores"; and in the oath to be taken by such master or other person in charge of such vessel, on making said report, he shall declare that the articles so specified or designated "sea stores" are truly intended for the use exclusively of said vessel, and are not intended for sale, transfer, or private use, and if, upon examination and inspection by the collector or other officer of the customs such articles are not deemed excessive in quantity for the use of said vessel for the voyage on which she is engaged, such articles shall be declared free of duty; but if it shall be found that the quantity or quantities of such articles or any part thereof so reported as excessive, it shall be lawful for the collector or other officer of the customs to estimate the amount of duty on such excess, which shall be forthwith paid by said master or other person having charge of said vessel, on pain of forfeiting a sum of not less than one hundred dollars nor more than four times the value of such excess, or said master or other person, having charge of such vessel shall be liable to imprisonment for a term of not less than three months nor more than two years, at the discretion of the court. And if any other or greater quantity of dutiable articles shall be found on board such vessel than are specified in such report or entry of said articles, or any part thereof shall be landed without a permit from a collector or other officer of the customs, such articles, together with the vessel, her apparel, tackle, and furniture, shall be seized and forfeited: Provided, always, That articles purchased for the use of or for sale on board any steamboat, propeller, or other vessel, as "saloon stores or supplies," shall be deemed goods, wares, and merchandise, and shall be liable (when purchased at a foreign port) to entry and the payment of the duties found to be due thereon at the first port of arrival of such vessel in the United States, and for a failure on the part of the saloon keeper or person purchasing or owning such articles to report, make entries, and pay duties, as hereinbefore required, such articles, together with the fixtures and other goods, wares, or merchandise, found in such saloon or on or about such vessel belonging to and owned by such saloon keeper or other person interested in such saloon, shall be seized and forfeited, and such saloon keeper or other person purchasing and owning as aforesaid shall forfeit and pay the sum of not less than one hundred dollars nor more than five hundred dollars, and in addition thereto shall be imprisoned for a term not less than three months nor more than two years.

SEC. 23. And be it further enacted, That the equipments, or any part thereof, (including boats,) purchased for, or the expenses of repairs made in a foreign country upon a vessel enrolled and licensed under the laws of the United States to engage in the foreign and coasting trade on the
northern, northeastern, and northwestern frontiers of the United States, or a vessel intended to be employed in such trade, shall, on the first arrival of such vessel in any port of the United States, be liable to entry and the payment of an ad valorem duty of fifty per centum on the cost thereof in such foreign country; and if the owner or owners or master of such vessel shall wilfully and knowingly neglect or fail to report, make entry, and pay duties as herein required, such vessel, with her tackle, apparel, and furniture, shall be seized and forfeited. Provided, That if the owner or owners or master of such vessel shall furnish good and sufficient evidence that such vessel, while in the regular course of her voyage, was compelled, by stress of weather or other casualty, to put into said foreign port and purchase such equipments, or make such repairs, to secure the safety of the vessel to enable her to reach her port of destination, then it shall be competent for the Secretary of the Treasury to remit or refund such duties, and such vessel shall not be liable to forfeiture, and no license or enrollment and license, or renewal of either, shall hereafter be issued to any such vessel until the collector to whom application is made for the same shall be satisfied, from the oath of the owner or master, that all such equipments and repairs, made within the year immediately preceding such application, have been duly accounted for under the provisions of this section, and the duties accruing thereon after the passage of this act duly paid; and if such owner or master shall refuse to take such oath, or take it falsely, the vessel shall be seized and forfeited.

SEC. 24. And be it further enacted, That if any certificate of registry, enrollment, or license, or other record or document granted in lieu thereof, fraudulently obtained or used for any vessel not entitled to the benefit thereof, such vessel, with her tackle, apparel, and furniture, shall be liable to forfeiture.

SEC. 25. And be it further enacted, That on and after the first day of July next, the several provisions of the act entitled “An act to regulate the collection of duties on imports and tonnage,” approved March two, seventeen hundred and ninety-nine, relating to manifests, shall apply as well to vessels owned in whole or in part by foreigners as to vessels of the United States; and that the Secretary of State send copies of this section to all consular officers of the United States in foreign countries.

SEC. 26. And be it further enacted, That all vessels which, under the provisions of the fifteenth section of the act entitled “An act increasing
TEMPORARILY THE DUTIES ON IMPORTS, AND FOR OTHER PURPOSES,” APPROVED JULY
FOURTEEN, EIGHTEEN HUNDRED AND SIXTY-TWO, OF THE FOURTH SECTION OF THE ACT
ENTITLED “AN ACT TO MODIFY EXISTING LAWS IMPOSING DUTIES ON IMPORTS, AND
FOR OTHER PURPOSES,” APPROVED MARCH THIRTEEN, EIGHTEEN HUNDRED AND SIXTY-
THREE, AND OF THE FOURTH SECTION OF AN ACT ENTITLED “AN ACT AMENDATORY OF
CERTAIN ACTS IMPOSING DUTIES UPON FOREIGN IMPORTATIONS,” APPROVED MARCH
THREE, EIGHTEEN HUNDRED AND SIXTY-FIVE, ARE EXEMPTED FROM PAYING TONNAGE
DUTIES MORE THAN ONCE IN A YEAR, SHALL HEREAFTER PAY THE SAME EITHER AT THEIR
FIRST CLEARANCE FROM OR ENTRY AT, ACCORDING TO PRIORITY, A CUSTOM-HOUSE IN THE
UNITED STATES IN EACH CALENDAR YEAR: PROVIDED, THAT ANY LICENSED AND
ENROLLED VESSELS OF THE UNITED STATES SHALL PAY THE SAID DUTY WHEN TAKING OUT OR
RENEWING THEIR RESPECTIVE ENROLLMENTS OR LICENSES, OR IF THE SAME HAS NOT
PREVIOUSLY BEEN PAID FOR THE CALENDAR YEAR: AND PROVIDED FURTHER, THAT NO OFFICER OR CLERK WHOSE
SALARY OR WAGES HAVE NOT BEEN PAID SHALL HAVE MADE AND SUBSCRIBED AN OATH
BECAUSE HE IS AUTHORIZED, WHENEVER HE THOUGHT IT ADVANTAGEOUS TO BE, AND BE
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HEREBY AUTHORIZE
Goods, &c. seized for violation of laws relating to customs to remain in custody of collector, &c.

Section 31. And be it further enacted, That all goods, wares, merchandise, or property of any kind seized under the provisions of this act or any other law of the United States relating to the customs shall, unless otherwise provided for by law, be placed and remain in the custody of the collector or other principal officer of the customs of the district in which the seizure shall be made, to abide adjudication by the proper tribunal, or other disposition according to law; and the proceedings in regard to fines, penalties, and forfeitures by virtue of this act, and not herein prescribed, shall be the same as are now provided by law in like cases; and all such fines, penalties, and forfeitures shall, after deducting all proper costs and charges, be disposed of and applied as provided for in the ninety-first section of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved March two, seventeen hundred and ninety-nine.

Section 32. And be it further enacted, That in all cases in which any collector or surveyor of customs has paid or accounted for, or is charged with duties or fees accruing under the act entitled "An act to provide increased revenue from imports to pay interest on the public debt, and for other purposes," approved August five, eighteen hundred and sixty-one, or the act entitled "An act to increase duties on imports, and for other purposes," approved June thirty, eighteen hundred and sixty-four, or the act entitled "An act to create an additional supervising inspector of steamboats and two local inspectors of steamboats for the collection district of Memphis, Tennessee, and two local inspectors for the district of Oregon, and for other purposes," approved June eight, eighteen hundred and sixty-four, or the act entitled "An act amendatory of certain acts imposing duties on foreign importations," approved March three, eighteen hundred and sixty-five, and in regard to which the Secretary of the Treasury shall be satisfied that the collection of said duties or fees was omitted by such collector or surveyor, or by any steamboat inspector, for the reason that he was not informed of the existence of the said acts when the said duties or fees accrued, that the said Secretary be, and he is hereby, authorized, under such rules as he may prescribe, to remit or refund, as the case may require, such duties or fees to such collector or surveyor or steamboat inspector.

Section 33. And be it further enacted, That in all cases in which the fees and emoluments received by any collector or other principal officer of the customs are, in the opinion of the Secretary of the Treasury, insufficient to afford a reasonable compensation for the services of such officer, after payment out of the same of reasonable incidental expenses of the office, the said Secretary may direct that so much of the said incidental expenses as shall seem to him to be just shall be paid out of the appropriation for paying the expenses of collecting the revenue; and the said Secretary shall have the same power in regard to incidental expenses which have heretofore been incurred, and which have not been settled and paid into the treasury; and all fees paid into the treasury by customs officers shall be placed to the credit of the fund for defraying expenses of collecting the revenue from customs.

Section 34. And be it further enacted, That the provisions of the first section of the act entitled "An act relative to collectors and other officers of customs," approved February eleven, eighteen hundred and forty-six, shall, from and after the passage of this act, be applied and enforced in regard to all officers, agents, and employés of the United States whosoever, as well those whose compensation is determined by a commission on disbursements, not to exceed an annual maximum, as those paid by salary or otherwise.

Section 35. And be it further enacted, That if any person shall, directly or indirectly, at any time make or offer to make to any officer of the revenue, or to any other person or persons authorized by this act to make searches,
or seizures, any gratuity or present of money, or other thing of value, or
give or offer any bribe or reward, of whatever nature, with intent to in-
fluence or induce such officer or person or persons to do any act in
violation of his or her or their official duty, or to refrain from doing
anything which, under the law, it is or shall be his or her or their duty
to do, or if any such officer or person shall ask or receive in any manner
any such gratuity, present, bribe, or reward, every person so offending
shall be liable to indictment, as for a high crime and misdemeanor, in
any court of the United States having jurisdiction for the trial of crimes
and misdemeanors, and shall, upon conviction thereof, be fined not exceeding
three times the amount so offered, promised or given, asked or received,
and imprisonment in a penitentiary not exceeding three years.

SEC. 36. And be it further enacted, That from and after the passage of
this act no suit begun thereafter shall be maintained in any court for the
recovery of duties alleged to have been erroneously or illegally exacted
by collectors of customs, unless the plaintiff shall, within thirty days after
due notice of the appearance of the defendant, either in person or by
attorney, serve on the defendant or his attorney a bill of particulars of
the plaintiff's demand, giving the name of the importer or importers, the
description of the merchandise and place from which imported, the name
or names of the vessel or vessels, or means of importation, the date of
the invoice, the date of the entry at the custom-house, the precise amount
of duty claimed to have been exacted in excess, the date of payment of
said duties, the day and year on which protest was filed against the exact-
tion thereof, the date of appeal thereon to the Secretary of the Treasury,
and date of decision, if any, on such appeal. And if a bill of particulars,
containing all the above-mentioned items, be not served as aforesaid, a
judgment of non pros. shall be rendered against the plaintiff or plaintiffs in
suits for recovery of duties alleged to have been erroneously or illegally exacted
not hereafter to be maintained, unless plaintiff
within thirty
days after notice
of appearance of
defendant gives
bill of parti-
culars to his de-
mand.

Bill to state
what.

SEC. 37. And be it further enacted, That parts of such building as
shall be approved by the Secretary of the Treasury may be bonded for
storage of grain, under such rules, regulations, and conditions as he
may prescribe for the security of the revenue, and that so much of the
act entitled "An act to extend the warehousing system by establishing
private bonded warehouses, and for other purposes," approved March
twenty-eight, eighteen hundred and fifty-four, as conflicts with this act be,
and the same is hereby, repealed.

SEC. 38. And be it further enacted, That for the purpose of estimat-
ing the duties on importations of grain, the number of bushels shall be
ascertained by weight, instead of by measuring; and sixty pounds of wheat,
fifty-six pounds of corn, fifty-six pounds of rye, forty-eight pounds of
barley, thirty-two pounds of oats, sixty pounds of peas, and forty-two pounds of buckwheat, avoirdupois weight, shall respectively be estimated
as a bushel.

SEC. 39. And be it further enacted, That in order to facilitate the exe-
cution of the provisions of the seventh section of the act entitled "An act
to prevent and punish frauds upon the revenue, to provide for the more
certain and speedy collection of claims in favor of the United States, and
for other purposes," approved March three, eighteen hundred and sixty-
three, relative to the seizure of "invoices, books, and papers," any district
judge of the United States may hereafter issue his warrant or warrants
and direct the same to any collector or collectors of the customs in whose
respective districts any such invoices, books, or papers may be thought
to be.

SEC. 40. And be it further enacted, That if any collector of the cus-
toms, or other officer or agent, shall neglect or refuse to comply with the
provisions of the first section of the act entitled "An act requiring all moneys receivable from customs and from all other sources to be paid
immediately into the treasury, without abatement or reduction, and for
of revenue, &c.

of any gift or

bribe, to induce

fluence or induc-

violation of

officer, &c., for asking

or receiving any gift or bribe.

Fine and im-

prisonment.

Parts of build-

ings may be bond-

ed for storage of

grain.

Repeal of

part of

1854, ch. 30.
Vol. X p. 270.

Number of

bushels of grain
to be ascer-
tained by

weight.

Warrants for

seizure of in-

voices, books,

and papers,

who may issue

and have seized.

1853, ch. 76, § 7.
Vol xii. p. 740.

Neglect, &c.
of any officer,

of any officer,

Sec. to pay over

money received,
to be cause of

removal and for-

feiture of dues.
1849, ch. 110, § 1.
Moneys received for custody to be accounted for as storage.
1849, ch. 110, § 1.
Vol. v. p. 482.
Masters of foreign vessels arriving in waters of the United States from foreign places adjacent to northern, northeastern, or northwestern frontiers of the United States, to report at the office of any collector or deputy collector of the customs, which shall be nearest to the point at which such vessel may enter said waters; and such vessel shall not proceed further inland, either to unlade or take in cargo, without a special permit from such collector or deputy collector, issued under and in accordance with such general or special regulations as the Secretary of the Treasury may in his discretion, at time to time, prescribe. And for any violation of this section such vessel shall be seized and forfeited.

SEC. 41. And be it further enacted, That it shall be the duty of the master of any foreign vessel, laden or in ballast, arriving in the waters of the United States from any foreign territory adjacent to the northern, northeastern, or northwestern frontiers of the United States, to report at the office of any collector or deputy collector of the customs, which shall be nearest to the point at which such vessel may enter said waters; and such vessel shall not proceed further inland, either to unlade or take in cargo, without a special permit from such collector or deputy collector, issued under and in accordance with such general or special regulations as the Secretary of the Treasury may in his discretion, from time to time, prescribe, and for any violation of this section such vessel shall be seized and forfeited.

SEC. 42. And be it further enacted, That if any collector of the customs, supervising or local inspector of steamboats, or other officer, shall neglect or refuse to make any of the returns or reports which he is required to make at stated times by any act of Congress or regulation of the Treasury Department, other than his accounts, within the time prescribed by such act or regulation, he shall, upon conviction thereof before the district court of his district, forfeit and pay, for the use of the United States, any sum not less than one hundred dollars nor more than one thousand dollars.

Repeal of certain acts, or parts of acts.
1795, ch. 48
Vol. i. p. 441.
1840, ch. 26.
Vol. v. p. 381.
1793, ch. 8, § 10,
last clause
Vol. l. p. 392.
1844, ch. 105, § 7.
1799, ch. 22. 4
1800.
Vol. i. p. 701.
1855, ch. 60, § 10.
Vol. xxii p. 494.
Pending proceedings not affected.

SEC. 43. And be it further enacted, That the act entitled "An act for the more effectual recovery of debts due from individuals to the United States," approved March three, seventeen hundred and ninety-five; and the act entitled "An act to extend for a longer period the several acts now in force for the relief of insolvent debtors of the United States," approved May twenty-seven, eighteen hundred and forty; and the last clause of the tenth section of the act entitled "An act for enrolling and licensing ships and vessels to be employed in the coasting trade and fisheries, and for regulating the same," approved February eighteen, seventeen hundred and ninety-three, being all after the words "complied with"; and the seventh section of the act entitled "An act making appropriations for the civil and diplomatic expenses of the government for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-five, and for other purposes," approved June seventeen, eighteen hundred and forty-four; and the one hundred and third section of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved March two, seventeen hundred and ninety-nine; and the tenth section of the act entitled "An act amendatory of certain acts imposing duties upon foreign importations," approved March three, eighteen hundred and sixty-five; and all other acts and parts of acts conflicting with or supplied by this act, be, and the same are hereby, repealed.

SEC. 44. And be it further enacted, That the provisions of this act shall not be deemed to affect any action or proceeding or indictment pending at the time this act shall take effect, but the same shall be tried, and disposed of, and judgment or decree executed as if this act had not been passed.

APPROVED, July 18, 1866.
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-roads:

**NEW YORK.**
From Tarrytown to White Plains.

**MARYLAND.**
From Beuna Vista, via Mitchellsville, to Coopersville.

**RHODE ISLAND.**
From Blackstone, via Pascoag, Slatersville, Mohegan, and Mapleville, to Burrillville.

**IOWA.**
From Des Moines, via Indianola and Chariton, to Luneville (State line).
From Des Moines, via McClain, Henry, Payton, Maseville, and Benson, to Grove City.

**WISCONSIN.**
From Arcadia, via Burnside and Hale, to Sumner.
From Dodgeville, via James's Mills, Wm. S. Bean's, and Booth Hollow, to Avoca.
From Green Bush, via Armstrong's Corners, Dundee, New Prospect, and Eble's Mills, to Barton.
From Wrightstown, via East Wrightstown, Morristown, and Maple Grove, to Paquette.
From Spring Green, via Plain and White Mound, to Reedsburg.

**MINNESOTA.**
From Wilton, via Swan Lake, to Blue Earth City.
From Redwood Falls, on the Minnesota River, via Big Stone Lake, Fort Wadsworth, and Fort Berthold, to Fort Union, Montana Territory.
From De Luth to the Falls of Vermillion River.
From Little Falls, via Long Prairie, to Alexandria.
From Sauk Centre, via Westport, Lake Amelia, Reno City, Lake Tobacco, Big Stone Lake, and Lake Traverse, to Fort Wadsworth, Dakota Territory.
From Saint Peter, via Lake Prairie, Kelso, and Dryden, to New Auburn.
From Shakopee, via Maple Glenn, New Dublin, New Market, and Cedar Lake, to Oral, returning thence by Helena, Lydia, and Marystown, to Shakopee.
From Winona, via Eau Claire, Chippewa, Mondovi, to Chippewa Falls, Wisconsin.
From Red Wing, via Thomas Carney's Mill, Wisconsin, to Ellsworth.
From Crow Wing, via Otter Tail City and Monta, to Fort Abercrombie, Dakota Territory.
From Elk River, via Pleasant Valley, to Spencer Brook.
From Monticello, via Buffalo, to Watertown.
From Buffalo, via Maple Lake to Fremont.

**KANSAS.**
From Junction City, via south side of Republican River, Quimby's Cain's Settlement, and Elk Creek, to Washington.
From Junction City to Batchelder.
From Pleasant Hill, Missouri, via High Blue, Aubrey, Squiresville, Kansas, and Spring Hill, to Baldwin City.
From Media to Oskaloosa.
From American City, via Savannah, to Vienna.
From Ottawa, via Berea, Mount Gettys, and Oakwood, to Mound City.

From Kansas City, via Little Santa Fe, Aubrey, Kansas, Cold Water Grove, Rockville, and Trading Post, to Fort Scott.

From Fayetteville, via Rhea’s Mill, Cincinnati, and Telegraph, to Fort Gibson.

From Ripley to Saulsbury, Tennessee.

From Tuscaloosa, via Foster’s store, Union, and Clinton, to Gainesville.

From Wellington Station, via Mammoth and Ione, to Austin.
From Virginia City to American City.
From Aurora, via Columbus, to Silver Peak.
From Austin, via Kingston, Ophir Canon, and San Antonio, to Silver Peak.
From Ione, via Ophir Canon, Boiling Springs, and San Antonio, to Crystal Springs.

From Oregon City, via Cutting Mill, Glad Tidings, Silverton, Sublimity, and Scio, to Lebanon.
From Portland, via Union School House, Philip Foster’s on Clackamas, and Clatunsville, to Silverton.
From Dallas, via Antelope Valley, Camp Watson, John Day City, Canyon City, Maysville, Union, Strawberry Valley, Camp Logan, and Willow Creek, to Boise City, Idaho Territory.
From Canyon City, via Susanville, Elk District, Trues Station, Olin Creek, Independence, and Auburn, to Baker City.

From Los Angelos to Havilah City, in Tulare County.
From Drytown to El Dorado.
From Quincy, via Jamison City, Eureka Mills, Seventy-Six, Red Clover Valley, Mohawk, Little Humbug, and Beckworth’s, to Sierra Valley.
From Auburn, via Greenwood, to Georgetown.
From San Rafael, via Olema and Bohmas, to Petaluma.
From Woodland, via Cache Creek, to Buckeye.

From Sistersville, in Tyler County, via Twiggs, to Hebron, in Pleasants County.
From Sago, in Upshur County, to Huttonsville, in Randolph County.
CHAP. CCVIII - An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-seven, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-seven, namely:

Legislative.—For compensation and mileage of senators, two hundred and fifty-two thousand five hundred dollars.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz: secretary of the Senate, three thousand six hundred dollars; officer charged with disbursements of the Senate, four hundred and eighty dollars; chief clerk, two thousand five hundred dollars; principal clerk and principal executive clerk in the office of the secretary of the Senate, at two thousand and one hundred dollars each; eight clerks in office of the secretary of the Senate, at one thousand eight hundred and fifty dollars each; keeper of the stationery, one thousand seven hundred and fifty dollars; two messengers, at one thousand and eighty dollars each; one page, at five hundred dollars; sergeant-at-arms and doorkeeper, two thousand dollars; assistant doorkeeper, one thousand seven hundred dollars; postmaster to the Senate, one thousand seven hundred and fifty dollars; assistant postmaster and mail-carrier, one thousand four hundred and forty dollars; two mail boys, at one thousand dollars each; superintendent of the document-room, one thousand five hundred dollars; two assistants in document-room, at one thousand two hundred dollars each; superintendent of the folding-room, one thousand five hundred dollars; three messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each; sixteen messengers, at one thousand two hundred dollars each; clerk or secretary to the President of the Senate, one thousand seven hundred and fifty-two dollars; clerk to the committee on finance, one thousand eight hundred and fifty dollars; clerk to the committee on claims, one thousand eight hundred and fifty dollars; clerk of printing records, one thousand eight hundred and fifty dollars; superintendent in charge of the furnaces, one thousand two hundred dollars; assistant in charge of furnaces, seven hundred and twenty dollars; laborer in charge of private passages, seven hundred and twenty dollars; two laborers at seven hundred and twenty dollars each; chaplain to the Senate, seven hundred and fifty dollars; one special policeman, seven hundred and twenty dollars; making eighty thousand nine hundred and fifty-four dollars.

For contingent expenses of the Senate, viz:—

For stationery, seventeen thousand dollars.
For newspapers, five thousand dollars.
For Congressional Globe, twenty thousand dollars.
For reporting proceedings in the Daily Globe for the second session of the thirty-ninth Congress, twelve thousand dollars.
For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate, making eighty thousand nine hundred and fifty-four dollars.

Illinois.

From Winchester to Manchester.
From Elkhart, in Logan County, direct to Sweet Water, in Menard County.

Indiana.

From Nashville, in the county of Brown, to Morgantown, in the county of Morgan.

Approved, July 18, 1866.

July 28, 1866.

Pay and mileage of senators, officers, clerks, &c.
Globe and Appendix, sets to new senators. 
Provided.

For one complete set of the Congressional Globe and Appendix for each senator in the thirty-ninth Congress who has not already received them: Provided, however, That any senator who has already, as a member of the House of Representatives, received a portion of a set of the Congressional Globe, shall only be entitled to receive as such senator the additional volumes required to complete one full set, six thousand eight hundred dollars.

For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and laws of the United States, twelve thousand nine hundred dollars.

For clerks to committees, pages, horses, and carryalls, twenty thousand dollars.

For capitol police, twenty-one thousand four hundred and eighty dollars: Provided, That three hundred and thirty dollars of the appropriation for the capitol police may be used during the present fiscal year.

For expenses of heating and ventilating apparatus, twenty thousand five hundred dollars.

For miscellaneous items, thirty thousand dollars.

For compensation and mileage of members of the House of Representatives and delegates from Territories, one million dollars.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz: clerk of the House of Representatives, three thousand six hundred dollars; chief clerk and one assistant clerk, at two thousand one hundred and sixty dollars each; eleven clerks, at one thousand eight hundred dollars each; principal messenger in the office, at four dollars and eighty cents per day, one thousand seven hundred and fifty-two dollars; three messengers, at one thousand two hundred dollars each; messenger to the speaker, at four dollars and eighty cents per day, one thousand seven hundred and fifty-two dollars; clerk to the committee of ways and means, two thousand one hundred and sixty dollars; clerk to the committee on appropriations, two thousand one hundred and sixty dollars; clerk to the committee of claims, one thousand eight hundred dollars; clerk to the committee on public lands, one thousand eight hundred dollars; sergeant-at-arms, two thousand one hundred and sixty dollars; messenger to the sergeant-at-arms, one thousand two hundred dollars; postmaster, two thousand one hundred and sixty dollars; assistant postmaster, one thousand seven hundred and forty dollars; four messengers, at one thousand four hundred and forty dollars each; two mail boys, at nine hundred dollars each; capitol police, twenty-one thousand four hundred and eighty dollars: Provided, That three hundred and thirty dollars of the appropriation for the capitol police may be used during the present fiscal year; doorkeeper, two thousand one hundred and sixty dollars; superintendent of the folding-room, one thousand eight hundred dollars; superintendent of the document-room and assistant, at one thousand seven hundred and fifty-two dollars; one messenger, at one thousand seven hundred and forty dollars; five messengers, at one thousand five hundred dollars each; six messengers, at one thousand two hundred dollars each; twelve messengers, to be employed during the session of Congress, at the rate of one thousand two hundred dollars each per annum; chaplain to the House of Representatives, seven hundred and fifty dollars; for stenographer, thirty-six hundred and fifty dollars; making one hundred and thirteen thousand one hundred and forty dollars.

For contingent expenses of the House of Representatives, viz: —

For cartage, two thousand dollars.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 208. 1866.

For clerks to committees and temporary clerks of the House of Representatives, eighteen thousand five hundred and seventy-six dollars.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the second regular session of the thirty-ninth Congress, and one hundred copies of the same for the House Library, seventeen thousand seven hundred and ninety-six dollars.

For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and the laws of the United States, eight thousand five hundred and fifty dollars.

For folding documents, including materials, thirty thousand dollars.

For fuel and lights, pay of engineers, firemen, and laborers, repairs, and material, fifteen thousand dollars.

For furniture, repairs, and packing-boxes for members, ten thousand dollars.

For horses, carriages, and saddle horses, nine thousand dollars.

For laborers, eight thousand four hundred dollars.

For miscellaneous items, thirty thousand dollars.

For newspapers, twelve thousand five hundred dollars.

For pages and temporary mail boys, ten thousand dollars.

For reporting and publishing proceedings in the Daily Globe, ten thousand dollars.

For stationery, eighteen thousand dollars.

For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the second regular session of the thirty-ninth Congress, eight hundred dollars each, four thousand eight hundred dollars.

Public Printing. — For compensation of the superintendent of public printing, and the clerks and messengers in his office, eleven thousand five hundred and fourteen dollars.

For contingent expenses of his office, viz: for stationery, postage, advertising, furniture, travelling expenses, horses and wagons, and miscellaneous items, two thousand dollars.

For the public printing, three hundred and sixty-nine thousand four hundred dollars.

For paper for the public printing, four hundred and fifty-six thousand eight hundred and ninety-two dollars.

For the public binding, three hundred and fifty-two thousand two hundred and four dollars.

For mapping in cases pending in the Supreme Court of the United States, three thousand dollars.

For lithographing and engraving for the Senate and House of Representatives, seventy-five thousand dollars.

To enable the Secretary of the Interior to purchase of Messrs. Little, Brown, and Company two thousand copies of the thirteenth 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.

Library of Congress. — For compensation of librarian, five assistant librarians, messenger, and laborers, twelve thousand six hundred dollars.

For contingent expenses of said library, two thousand dollars.

For purchase of books for said library, eight thousand dollars.

For purchase of law books for said library, two thousand dollars.

For botanic garden, grading, draining, procuring manure, tools, fuel, and repairs, and purchasing trees and shrubs, under the direction of the library committee of Congress, three thousand three hundred dollars.

For pay of superintendent and assistants, and assistants in botanic garden and greenhouses, under direction of the library committee of Congress, six thousand one hundred and forty-five dollars and eighty cents.
For purchasing files of the leading American newspapers for said library, one thousand five hundred dollars.

Court of Claims.—For salaries of five judges of the court of claims, the solicitor, assistant solicitor, deputy solicitor, clerk and assistant clerk and bailiff thereof, thirty-five thousand five hundred dollars.

For stationery, books, fuel, labor, and other contingent and miscellaneous expenses, three thousand dollars.

For compensation of attorneys to attend to taking testimony, witnesses, and commissioners, one thousand dollars.

For payment of judgments rendered by the court in favor of claimants, in addition to the unexpended balance of the appropriation for the fiscal year ending June thirty, eighteen hundred and sixty-five, five hundred thousand dollars: Provided, That judgments already rendered may be paid out of this appropriation at any time after the passage of this act.

Executive.—For compensation of the President of the United States, twenty-five thousand dollars.

For compensation of secretary to sign patents for public lands, one thousand five hundred dollars.

For compensation to the private secretary, steward, and messenger of the President of the United States, four thousand six hundred dollars.

For contingent expenses of the Executive office, including stationery therefor, four thousand dollars.

Department of State.—For compensation of the Secretary of State and assistant secretary of state, chief clerk, superintendent of statistics, clerks, messenger, assistant messenger, and laborers in his office, fifty-eight thousand three hundred dollars.

For increase to one messenger, one hundred dollars.

For increase to assistant, one hundred and forty dollars.

Contingent expenses.

For the Incidental and Contingent Expenses of the Department of State.—For publishing the laws in pamphlet form and in newspapers of the States and Territories, and in the city of Washington, twenty-five thousand dollars.

For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, four thousand dollars.

For stationery, blank books, furniture, fixtures, and repairs, five thousand dollars.

Miscellaneous.

For miscellaneous items, two thousand five hundred dollars.

For extra clerk hire and copying, ten thousand dollars.

For the General Purposes of the Northeast Executive Building.—For compensation of four watchmen and two laborers of the northeast executive building, three thousand six hundred dollars.

For contingent expenses of said building, viz: for fuel, lights, repairs and miscellaneous expenses, five thousand five hundred dollars.

Treasury Department.—For compensation of the Secretary of the Treasury, two assistant secretaries of the treasury, chief clerk, supervising architect and assistant architect, clerks, messengers, assistant messenger, and laborers, one hundred and eighteen thousand two hundred dollars.

For compensation of the first comptroller, chief clerk, and the clerks, messengers, and laborers in his office, forty-seven thousand nine hundred and forty dollars.

For compensation of the second comptroller, chief clerk, and the clerks, messenger, assistant messenger, and laborer in his office, one hundred and thirty-four thousand three hundred and eighty dollars.
For compensation of the first auditor, chief clerk, and the clerks, messenger, assistant messenger, and laborer in his office, fifty-nine thousand two hundred and forty dollars.

For compensation of the second auditor, chief clerk, and the clerks, messenger, assistant messengers, and laborers in his office, five hundred and twenty-one thousand one hundred and sixty dollars.

For compensation of the third auditor, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office, three hundred and eighty-two thousand and eighty dollars.

For compensation of the fourth auditor, chief clerk, and the clerks, messenger, and assistant messenger, and laborer in his office, one hundred and ten thousand five hundred and forty dollars.

For compensation of the fifth auditor, chief clerk, and the clerks, messenger, and laborer in his office, forty-seven thousand eight hundred and forty dollars.

For compensation of the auditor of the treasury for the Post Office Department, chief clerk, and the clerks, messenger, assistant messenger, and the laborers in his office, one hundred and ninety-one thousand five hundred and forty dollars.

For compensation of the treasurer of the United States, assistant treasurer, cashier, assistant cashier, chief of division, book-keepers, tellers, assistant tellers, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office, one hundred and sixty-nine thousand three hundred and eighty dollars.

For compensation of the register of the treasury, assistant register, chief clerk, and the clerks, messengers, assistant messenger, and laborers in his office, ninety thousand eight hundred and forty dollars.

For compensation of the solicitor of the treasury, chief clerk, and the clerks and messenger in his office, eighteen thousand three hundred and forty dollars.

For compensation of the commissioner of customs, chief clerk, and the clerks, messenger, and laborer in his office, forty thousand six hundred and forty dollars.

For compensation of the chief clerk, clerks, messenger, and laborer of the light-house board, nine thousand two hundred and forty dollars.

For compensation of the comptroller of the currency, deputy comptroller, clerks, messengers, and laborers, one hundred and twenty thousand two hundred dollars.

For paper, special dies, and printing of circulating notes, and expenses necessarily incurred (including express charges) in procuring the same, in the office of the comptroller of the currency, one hundred and fifty thousand dollars.

For salaries of commissioner, deputy commissioner, and clerks of internal revenue office, together with rent, dies, paper, and so forth, for stamps and incidental expenses, including the cost of subscription to such number of copies of the “Internal Revenue Record and Customs Journal” as the Secretary of the Treasury may deem necessary to supply the revenue officers, one million dollars.

For office furniture, maps, labor, miscellaneous items, and other contingent expenses for the office of the commissioner of internal revenue, fifty thousand dollars.

Contingent Expenses of the Treasury Department.—In the office of the Secretary of the Treasury:

For copying, labor, binding, sealing ships’ registers, translating foreign languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, fifty thousand dollars.

For compensation of temporary clerks in the Treasury Department, and for additional compensation to officers and clerks in the same department, Pay of temporary clerks.
Clerks may be classified.

Part of former appropriation to be unexpended.

Provided, That the temporary clerks herein provided for may be classified according to the character of their services: Provided further, That so much of the appropriation of two hundred and fifty thousand dollars, granted by act approved March second, eighteen hundred and sixty-five, for compensation of temporary clerks in the Treasury Department, and for additional compensation to clerks in the same department, as remains unexpended shall be divided as follows, viz: one hundred dollars each shall be paid to the clerks in said department of the first class, who have not received any additional compensation out of said appropriation, and who shall have served in said capacity for one year previous to July first, eighteen hundred and sixty-six. And one hundred dollars shall be paid to each person employed in said department appointed by the Secretary, at an annual salary amounting to less than twelve hundred dollars, and who shall have served under such appointment for one year previous to July first, eighteen hundred and sixty-six. And if the balance of said appropriation remaining unexpended shall be insufficient to pay said clerks and appointees, the sum of one hundred dollars each, as herein provided, the deficiency shall be supplied and paid out of any money in the treasury not otherwise appropriated.

Contingent expenses:

In the office of the first comptroller:
For furniture, public documents, State and Territorial statutes, postage, and miscellaneous items, one thousand dollars.

In the office of the second comptroller:
For blank books, binding, furniture, and miscellaneous items, including subscription to one city newspaper, to be bound and preserved for the use of the office, four thousand dollars.

In the office of the first auditor:
For stationery, office furniture, and miscellaneous items, one thousand five hundred dollars.

In the office of the second auditor:
For office furniture and miscellaneous items, including two of the city newspapers, to be filed and preserved for the use of the office, twenty-five thousand dollars.

In the office of the third auditor:
For office furniture, carpeting, two newspapers, preserving files and papers, bounty land service, and miscellaneous items, fifteen thousand dollars.

In the office of the fourth auditor:
For contingent expenses of the office, including two daily newspapers, three thousand dollars.

In the office of the fifth auditor:
For postage, furniture, and miscellaneous expenses, in which are included two daily newspapers, two thousand dollars.

In the office of the auditor for the Post Office Department:
For contingent expenses of the office, six thousand dollars.

In the office of the treasurer:
For contingent expenses of the office, seven thousand five hundred dollars.

In the office of the register:
For arranging and binding cancelled marine papers, and for official papers and records, and miscellaneous items, including office furniture, eight thousand dollars.

In the office of the solicitor:
Office of the solicitor of the treasury:
For books, binding, stationery, labor, and miscellaneous items, and for statutes and reports, and for care of library, two thousand two hundred dollars.

In the office of the commissioner of customs:
Office of the commissioner of customs:
For stationery, miscellaneous items, and office furniture, three thousand dollars.
Light-house board, viz:
For miscellaneous expenses and postage, six hundred dollars.
Office of the comptroller of the currency:
For furniture and miscellaneous items, five thousand dollars.
For stationery for the Treasury Department and its several bureaus, one hundred and twenty-five thousand dollars.
For the General Purposes of the Southeast Executive Building, including the Extension. — For compensation of twelve watchmen and eleven laborers of the southeast executive building, thirteen thousand eight hundred dollars.
For contingent expenses of said building, viz: for fuel, light, labor, and miscellaneous items, seventy-five thousand dollars.
For rent of buildings for the accommodation of clerks who cannot be accommodated in the treasury building, two thousand dollars.

Department of the Interior. — For compensation of the Secretary of the Interior, assistant secretary, chief clerk, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-six thousand three hundred and eighty dollars.
For compensation of the commissioner of the general land office, chief clerk, recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen, and laborers in his office, one hundred and seventy-five thousand four hundred and forty dollars.
For compensation of additional clerks in the general land office, under the act of third March, one thousand eight hundred and fifty-five dollars: Provided, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.
For compensation of the commissioner of Indian affairs, chief clerk, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-one thousand nine hundred and forty dollars.
For compensation of the commissioner of pensions, chief clerk, and the clerks, messengers, assistant messengers, watchman, and laborers in his office, two hundred and fifteen thousand three hundred and forty dollars. Provided, That the Secretary of the Interior, at his discretion, shall be, and is hereby, authorized to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

Contingent Expenses — Department of the Interior. — Office of the Secretary of the Interior:
For stationery, furniture, and other contingencies, and for books and maps for the library, seven thousand dollars.
For casual repairs of the patent office building, twelve thousand five hundred dollars.
For expenses of packing and distributing congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars.
For fuel and lights for the patent office building, including the salaries of engineer and assistant engineer of the furnaces, eighteen thousand dollars.
Office of the commissioner of Indian affairs:
For blank books, binding, stationery, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, four thousand dollars.
Office of the comptroller of currency:
For miscellaneous expenses of light-house board; of comptroller of currency.
Stationery.
Southwest executive building.
Contingent expenses of commissioner of pensions:
For stationery, engraving, and retouching plates for bounty land warrants, and binding the same, office furniture, and repairing the same, and miscellaneous items, including two city daily newspapers, to be filed, bound, and preserved for the use of the office, fifteen thousand dollars.

Office of the commissioner of public buildings:
For compensation of the commissioner of public buildings, and the clerk and messenger in his office, four thousand two hundred dollars.
For stationery, blank books, plans, drawings, and other contingent expenses of his office, five hundred dollars.

Surveyors General and their Clerks. — For compensation of the surveyor-general of Wisconsin and Iowa, and clerks for completing and winding up the business in his office, four thousand eight hundred dollars.
Provided, That when this appropriation shall have been exhausted, the said office shall be abolished.
For compensation of the surveyor-general of Minnesota, and the clerks in his office, eight thousand three hundred dollars.
For compensation of the surveyor-general of the Territories of Dakota and Montana, and the clerks in his office, six thousand three hundred dollars.
For compensation of the surveyor-general of Kansas and Nebraska, and the clerks in his office, eight thousand three hundred dollars.
For compensation of the surveyor-general of the Territories of Colorado, Utah, and Idaho, and the clerks in his office, seven thousand dollars.
For compensation of the surveyor-general of New Mexico and Arizona, three thousand dollars.
For compensation of the surveyor-general of California and Nevada, and the clerks in his office, fourteen thousand dollars.
For compensation of the surveyor-general of Oregon, and the clerks in his office, six thousand five hundred dollars.
For compensation of the recorder of land titles in Missouri, five hundred dollars.
For rent of surveyor-general's office in Oregon, fuel, books, stationery, and other incidental expenses, including pay of messenger, fifteen hundred dollars.
For rent of surveyor-general's office of California and Nevada, fuel, books, stationery, and other incidental expenses, including pay of messenger, five thousand dollars.
For office rent for the surveyor-general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.
For rent of surveyor-general's office in the Territories of Dakota and Montana, fuel, books, stationery, and other incidental expenses, two thousand dollars.
For rent of surveyor-general's office in the Territories of Colorado, Utah, and Idaho Territories, fuel, books, stationery, and other incidental expenses, one thousand five hundred dollars.

Expenses of Courts of the United States. — For defraying the expenses of the supreme court and district courts of the United States, including the District of Columbia, and also for jurors and witnesses, in aid of funds arising from fines, penalties, and forfeitures, in the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, and previous years, and likewise for defraying the expenses of suits in which the United States are concerned, including legal assistance to the attorney-general, and other special and extraordinary expenditures, in cases in the Supreme Court of the United States, in which the United States are concerned, and of pros-
executions for offenses committed against the United States, and for the safe-
keeping of prisoners, in addition to the unexpended balances of appro-
priations to the credit of the judiciary fund on June thirtieth, eighteen
hundred and sixty-six, required to meet the expenses of the courts being
re-established in the Southern States, so much of the act of March two,
eighteen hundred and sixty-five, carrying said unexpended balances of appro-
priations into the treasury being, and the same is hereby, repealed.

To enable the Secretary of the Interior to pay the balance due for
work done on, and materials furnished for, that part of the custom-house
building at New Orleans, reserved for the use of the Federal courts, four
thousand two hundred and sixty-eight dollars and sixty-five cents.

War Department.—For compensation of the Secretary of War, assis-
tant secretaries of war, solicitor, chief clerk, and the clerks, messenger,
assistant messengers, and laborer in his office, sixty-three thousand eight
hundred and eighty dollars.

For compensation of the clerks and messengers in the office of the
adjutant-general, two hundred and twenty-three thousand nine hundred
and twenty dollars.

For compensation of the clerks, messengers, assistant messengers, and
laborers, in the office of the quartermaster-general, three hundred and
ninety thousand one hundred and sixty dollars.

For compensation of the clerks, messengers, assistant messengers, and
laborers, in the office of the paymaster-general, two hundred and eight-
thousand four hundred dollars: Provided, That the annual compen-
sation of the chief clerk in the office of the paymaster-general, from the first
day of July, eighteen hundred and sixty-six, shall be two thousand dol-
lars; and the third-class clerks in said office are hereby reduced three in
number, and the fourth-class clerks are hereby increased three in number.

For compensation of the clerks, messenger, and laborers in the office
of the commissary-general, eighty-five thousand six hundred and forty
dollars.

For compensation of the clerks, messenger, and laborer in the office of
the surgeon-general, forty-three thousand eight hundred and forty dollars.

For compensation of the clerks and messenger in the office of the
colonel of ordnance, sixty thousand and forty dollars.

For compensation of the clerks in the office of military justice, seven
thousand two hundred dollars.

Contingent Expenses of the War Department.—Office of the Secre-
tary of War:

For blank books, stationery, labor, books, maps, extra clerk hire, and
miscellaneous items, twenty thousand dollars.

Office of the adjutant-general:
For blank books, stationery, binding, and miscellaneous items, twenty-
five thousand dollars.

Office of the quartermaster-general:
For blank books, stationery, binding, and miscellaneous items, twenty-
thousand dollars.

Office of the paymaster-general:
For blank books, stationery, binding, and miscellaneous items, ten
thousand dollars.

Office of the commissary-general:
For blank books, stationery, and binding, including rent of office and
hire of watchmen, twenty thousand dollars.
Contingent expenses in office of chief engineer:
Office of the chief engineer:
For blank books, stationery, binding, and miscellaneous items, three thousand five hundred dollars.

Office of the surgeon-general:
For blank books, stationery, binding, and miscellaneous items, including rent of office, fifteen thousand dollars.

Office of the chief of ordnance:
For blank books, stationery, binding, and miscellaneous items, ten thousand dollars.

Office of military justice:
For blank books, stationery, binding, and miscellaneous items, one thousand five hundred dollars.

Northwest executive building
For the General Purposes of the Northwest Executive Building. — For compensation of superintendent, four watchmen, and two laborers of the northwest executive building, three thousand eight hundred and fifty dollars.
For labor, fuel, light, and miscellaneous items, twenty thousand dollars.

Building corner F and Seventeenth streets.
For the General Purposes of the Building corner of F and Seventeenth streets. — For compensation of superintendent, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars.
For fuel, compensation of firemen, and miscellaneous items, ten thousand dollars.

Navy Department.
Pay of Secretary, &c.
For compensation of the Secretary of the Navy, assistant secretary of the navy, solicitor and naval judge-advocate-general, chief clerk, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-eight thousand one hundred and forty dollars.

Bureau of yards and docks;
For compensation of the chief of the bureau of yards and docks, and the civil engineer, chief clerk, clerks, messenger, and laborers in his office, nineteen thousand two hundred and forty dollars.

Of equipment and recruiting;
For compensation of the chief of the bureau of equipment and recruiting, chief clerk, and the clerks, messenger, and laborer in his office, sixteen thousand one hundred and forty dollars.

Of navigation;
For compensation of the chief of the bureau of navigation, chief clerk, and the clerks, messenger, and laborer in his office, nine thousand three hundred and forty dollars.

Of ordnance;
For compensation of the chief of the bureau of ordnance, and the assistant, chief clerk, clerks, draughtsman, messenger, and laborers in his office, eighteen thousand eight hundred and twenty dollars.

Of construction and repair;
For compensation of the chief of the bureau of construction and repair, chief clerk, and the clerks, draughtsman, messenger, and laborer in his office, sixteen thousand three hundred and forty dollars.

Of steam engineering;
For compensation of the chief of the bureau of steam engineering, chief clerk, and the clerks, draughtsman, messenger, and laborer in his office, ten thousand seven hundred and forty dollars.

Of provisions and clothing;
For compensation of the chief of the bureau of provisions and clothing, chief clerk, and the clerks, messenger, and laborer, twenty-four thousand three hundred and forty dollars.

Of medicine and surgery;
For compensation of the chief of the bureau of medicine and surgery, assistant, and the clerks, messenger, and laborer in his office, ten thousand five hundred and forty dollars.

Incidental and Contingent Expenses of the Navy Department. — Office of the Secretary of the Navy:
For stationery, labor, newspapers, periodicals, and miscellaneous items, five thousand dollars.

Bureau of yards and docks:
For stationery, books, plans, drawings, and incidental labor, one thousand eight hundred dollars.
Bureau of equipment and recruiting:
For stationery, books, and miscellaneous items, five hundred dollars.

Bureau of navigation:
For stationery, blank books, and miscellaneous items, two thousand four hundred dollars.

Bureau of ordnance:
For stationery and miscellaneous items, one thousand three hundred dollars.

Bureau of construction and repair:
For stationery and miscellaneous items, one thousand dollars.

Bureau of steam engineering:
For stationery and miscellaneous items, two thousand five hundred dollars.

Bureau of provisions and clothing:
For stationery and miscellaneous items, one thousand five hundred dollars.

Bureau of medicine and surgery:
For blank books, stationery, and miscellaneous items, eight hundred dollars.

To defray the expense of introducing water into the naval academy grounds and buildings at Annapolis, Maryland, nine thousand dollars.

For the General Purposes of the Southwest Executive Building.—For compensation of five watchmen and two laborers of the southwest executive building, four thousand seven hundred and fifty-two dollars.

For contingent expenses of said building, viz:
For labor, fuel, lights, and miscellaneous items, seven thousand five hundred dollars.

Post Office Department.—For compensation of the Postmaster-General, three assistant postmasters-general, chief clerk, and the clerks, messenger, assistant messengers, watchmen, and laborers of said department, one hundred and seventy-seven thousand seven hundred and twenty dollars.

For compensation of authorized additional and for temporary clerks, thirty-seven thousand dollars.

Contingent Expenses of the Post Office Department.—For blank books, binding, and stationery, fuel for the general post office building, including the auditor's office, oil, gas, and candles, printing, repair of the general post office building, office furniture, glazing, painting, whitewashing, and for keeping the fireplaces and furnaces in order; for engineer for steam-engine, laborers, watchmen, repairs of furniture, and for miscellaneous items, forty-five thousand dollars.

Money Order Bureau.—For compensation of superintendent and the clerks in his office, seven thousand five hundred dollars.

Topographer.—For preparing and publishing post-route maps of the United States, ten thousand dollars.

Department of Agriculture.—For compensation of commissioner of agriculture, chief clerk, and the clerks and employés in this office, thirty-nine thousand six hundred dollars.

For contingencies, viz: For stationery, purchase of library, laboratory, rent, and miscellaneous items, eleven thousand five hundred dollars.

For collecting agricultural statistics, ten thousand dollars.

For purchase and distribution of new and valuable seeds, viz:
For purchase of cereal, vegetable, and flower seeds, and for labor in putting up seeds, seed bags, and miscellaneous items, sixty thousand dollars: Provided, That the commissioner of agriculture shall only purchase and distribute, with the fund herein appropriated for that purpose, such seeds as are rare and uncommon to the country, or such as can be made more profitable by frequent changes from one part of our own country to another.
For employed in seed-room, five thousand two hundred dollars.

For propagation and distribution of plants, cuttings, and shrubs, fourteen thousand dollars: Provided, That the propagation of plants, cuttings, and shrubs shall be confined to such as are adapted to general cultivation and to promote the general interests of horticulture and agriculture throughout the United States.

For experimental garden in reservation number two, eight thousand eight hundred dollars.

For propagation and distribution of plants, cuttings, and shrubs, fourteen thousand dollars: Provided, That the propagation of plants, cuttings, and shrubs shall be confined to such as are adapted to general cultivation and to promote the general interests of horticulture and agriculture throughout the United States.

For workmen and adjusters, one hundred and twenty-five thousand dollars.

For specimen of ores and coins to be preserved in the cabinet of the mint, six hundred dollars.

For freight on bullion and coin, five thousand dollars.

For workmen and adjusters, two hundred thousand dollars.

For incidental and contingent expenses, repairs and wastage, one hundred thousand dollars.

For salaries of the assistant treasurer of the United States at New York, Boston, Charleston, and St. Louis, viz: for the assistant treasurer at New York, eight thousand dollars; those at Boston and Saint Louis, each, five thousand dollars; and the one at Charleston, two thousand five hundred, twenty thousand five hundred dollars.

For additional salary of the treasurer of the mint at Philadelphia, one thousand dollars.

For additional salary of the treasurer of the branch mint at New Orleans, five hundred dollars.

For additional salary of the treasurer of the branch mint at Denver, five hundred dollars.

For salaries of the clerks and messengers in the office of assistant treasurer at Boston, twenty-five thousand two hundred dollars: Provided, That in lieu of the clerks heretofore authorized, the assistant treasurer of the United States at Boston is hereby authorized to appoint, with the approbation of the Secretary of the Treasury, one chief clerk, at a salary of three thousand dollars per annum; one clerk, at a salary of twenty-five hundred dollars per annum; one clerk, at a salary of two thousand dollars per annum; two clerks, at a salary of eighteen hundred dollars per annum, each; six clerks, at a salary of twelve hundred dollars per annum, each; one clerk, at a salary of one thousand dollars per annum; two clerks, at a salary of eight hundred dollars per annum, each; one porter, at a salary of seven hundred dollars per annum; and one watchman, at a salary of six hundred dollars per annum.

For salaries of clerks, messengers, and watchmen, in office of the as-
sistant treasurer at Philadelphia, eighteen thousand three hundred dol-
For salary of additional clerks in the office of the assistant treasurer at
Philadelphia, six thousand five hundred and eighty-five dollars.
For salaries of clerks, messengers, and watchmen in the office of the
assistant treasurer at New York, one hundred and twenty thousand three
hundred and twenty dollars.
For salaries of clerks, messenger, and watchmen in the office of the
assistant treasurer at Saint Louis, nine thousand seven hundred and sixty
dollars.
For additional salaries to the messenger at four hundred dollars per
annum, and to four watchmen at one hundred dollars per annum each, in
the office of the assistant treasurer at Saint Louis, eight hundred dollars.
For salaries of clerks, porter, and watchmen in the office of the assist-
ant treasurer at New Orleans, nine thousand six hundred dollars.
For compensation to stamp clerk in the office of the assistant treasurer
at San Francisco, two thousand four hundred dollars.
For compensation to designated depositaries, under fourth section of
the act of August sixth, eighteen hundred and forty-six, for the collec-
tion, safe-keeping, transfer, and disbursement of the public revenue, eight
thousand dollars.
For compensation to special agents, under act of the sixth of August,
eighteen hundred and forty-six, eight thousand dollars.
For salaries of ten supervising and fifty-six local inspectors, appointed
under act of the thirtieth August, eighteen hundred and fifty-two, for the
better protection of the lives of passengers by steamboats, with travelling
and other expenses incurred in carrying into effect the steamboat inspec-
tion law, including the expenses of their annual meeting, eighty-five
thousand dollars.
For contingent expenses under the act of the sixth of August, eighteen
hundred and forty-six, for the collection, safe-keeping, transfer, and dis-
bursement of the public revenue, in addition to premium which may be
received on transfer drafts: Provided, That no part of said sum shall be
expended for clerical services, two hundred and fifty thousand dollars.
Checks and certificates of deposit.
For checks and certificates of deposit for office of assistant treasurer
at New York, and other offices, eighteen thousand dollars: Provided,
That the Secretary of the Treasury be, and he is hereby, authorized, at
his discretion, to remove the whole or any portion of the machinery, ap-
paratus, and fixtures of the branch mints of the United States at New
Orleans, Charlotte, and Dahlonega, to such other branch mints as in his
opinion may require the same, or at his discretion to discontinue the
branch mint at New Orleans, Charlotte, and Dahlonega, and to dispose of
the property belonging thereto, if he shall deem it expedient, at public
auction to the highest bidder.

GOVERNMENTS IN THE TERRITORIES.

Territory of New Mexico. — For salaries of governor, chief justice,
and two associate judges, and secretary, twelve thousand dollars.
For interpreter and translator in the executive office, five hundred
dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Utah. — For salaries of governor, chief justice, two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, eighteen thousand dollars.

Territory of Washington. — For salaries of governor, chief justice, two associate judges, and secretary, twelve thousand five hundred dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

Washington: For compensation and mileage of the members of the legislative assembly, clerk, and contingent expenses of the assembly, twenty thousand dollars.

Nebraska; Territory of Nebraska. — For salaries of governor, chief justice, and two associate judges, and secretary, ten thousand five hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, fifteen thousand dollars.

Colorado; Territory of Colorado. — For salaries of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, ten thousand dollars.

Dakota; Territory of Dakota. — For salaries of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, fifteen thousand dollars.

Arizona; Territory of Arizona. — For salaries of governor, chief justice, and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Idaho; Territory of Idaho. — For salaries of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Montana. Territory of Montana. — For compensation of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses, twenty thousand dollars.
JUDICIARY.

Office of the Attorney-General. — For salaries of the attorney-general, assistant attorney-general, and the clerks and messenger in his office, twenty-three thousand seven hundred dollars.

For two additional temporary clerks of class one, twenty-four hundred dollars.

Contingent expenses of the office of the attorney-general, namely:

For fuel, labor, furniture, stationery, and miscellaneous items, four thousand dollars.

For purchase of law and necessary books for the office of the attorney-general, five hundred dollars.

For legal assistance and other necessary special and extraordinary expenditures in the disposal of private land claims in California, five thousand dollars.

Justices of the Supreme Court of the United States. — For salaries of the chief justice and nine associate justices, sixty thousand five hundred dollars.

For travelling expenses of the judge assigned to the tenth circuit for attending session of the supreme court of the United States, one thousand dollars.

For salaries of the district judges of the United States, one hundred and twenty-six thousand dollars.

For salaries of the chief justice of the supreme court of the District of Columbia, the associate judges, and judge of the orphans’ court, nineteen thousand dollars.

For salary of the reporter of the decisions of the supreme court of the United States, which is hereby fixed at that amount, two thousand five hundred dollars: Provided, That said reporter shall within the time now prescribed deliver to the Secretary of the Interior for distribution, according to existing laws, three hundred copies of each of the annual reports of that court as shall be hereafter published.

For additional compensation to three clerks in the department of the attorney-general, for extraordinary services under the amnesty proclamation of May twenty-ninth, eighteen hundred and sixty-five, to be apportioned, one thousand to the principal clerk, and five hundred each to the other two clerks, two thousand dollars.

For compensation of the district attorneys, nineteen thousand two hundred and fifty dollars.

For compensation of the district marshals, twelve thousand dollars.

For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of treasury notes, two million dollars.

For salaries and expenses of collectors, assessors, assistant assessors, revenue agents, inspectors, and superintendents of exports and drawback, together with the expense of carrying into effect the forty-fourth section of the internal revenue act of June twenty-fourth, eighteen hundred and sixty-four, and all other expenses of carrying into effect the various provisions of the several acts providing internal revenue, except salaries of commissioner, deputy commissioner, and clerks of internal revenue office, together with rent, dies, paper, and so forth, for stamps, and incidental expenses, ten million eight hundred thousand dollars.

For compensation to the laborer in charge of the water-closets in the capitol, five hundred and thirty-eight dollars.

For compensation of four laborers in capitol, two thousand four hundred dollars.

For compensation to the public gardener, one thousand four hundred and forty dollars.

For compensation of a foreman and twenty-one laborers employed in the public grounds, thirteen thousand four hundred dollars.
Gate keeper and watchmen.

For compensation of the keeper of the western gate, Capitol Square, eight hundred and seventy-six dollars.

For compensation of two day watchmen employed in the Capitol Square, one thousand two hundred dollars.

For compensation of two night watchmen at the President's house, one thousand two hundred dollars.

Policemen, &c at President's house.

To enable the commissioner of public buildings to pay two policemen at the President's house, twenty-six hundred and forty dollars.

To enable the commissioner of public buildings to pay two policemen at the President's house, (one from August twenty-fourth, the other from November twenty-fifth, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six,) two thousand and twenty-three dollars and thirty-four cents.

For compensation of the door-keeper at the President's house, one thousand dollars.

Night watchman.

For compensation of one night watchman at the public stables and carpenter's shops south of the capitol, one thousand dollars.

For compensation of two watchmen in reservation number two, twelve hundred dollars.

Draw-keepers at Potomac bridge.

For compensation of eight draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, seven thousand five hundred and fifty-three dollars and sixty cents.

For compensation of two draw-keepers at the two bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand three hundred and ninety-six dollars.

Furnace-keepers.

For compensation of furnace-keeper under the old hall of the House of Representatives, six hundred dollars.

For compensation of furnace-keeper at the President's house, six hundred dollars.

Metropolitan police; increase of pay;

Metropolitan Police. — For salaries and other necessary expenses of the metropolitan police of the District of Columbia, one hundred and twenty thousand dollars. And the compensation of said metropolitan police force, officers, and clerks be and the same is hereby, increased fifty per cent upon the amount hereby appropriated, commencing on the first day of July, eighteen hundred and sixty-five, said increase to be borne by the cities of Washington and Georgetown, and the county of Washington, in the District of Columbia, in the proportion equal to the number of patrolmen allotted severally to the city of Washington, to the city of Georgetown, and the county of Washington and Georgetown, and the levy court of said county be, and they are hereby, authorized and empowered to levy a special tax not exceeding one quarter of one per centum for the purpose aforesaid.

For the construction of a police telegraph in the city of Washington, fifteen thousand dollars.

Sec. 2. And be it further enacted, That from and after the thirtieth day of June, eighteen hundred and sixty-six, the annually salary of the treasurer of the United States shall be six thousand five hundred dollars, the additional salary herein provided for, for the year ending June thirty, eighteen hundred and sixty-seven, to be paid out of any money in the treasury not otherwise appropriated.

Appropriation.

Sec. 3. And be it further enacted, That from and after the thirtieth day of June, eighteen hundred and sixty-six, the salary of the commissioner of public buildings shall be twenty-five hundred dollars per annum, and the increase of salary herein authorized may be paid out of any money in the treasury not otherwise appropriated.

Sec. 4. And be it further enacted, That the President is hereby authorized to appoint a private secretary, at an annual salary of three thousand five hundred dollars; an assistant secretary, at an annual salary of twenty-five hundred dollars; a short-hand writer, at annual salary of
twenty-five hundred dollars; a clerk of pardons, at an annual salary of two thousand dollars; and three clerks of the fourth class; and a steward of the President's household, who shall receive an annual salary of two thousand dollars, and said steward shall have the custody of the plate, furniture, and other public property in the President's house, and shall give a bond to the United States in such sum as the Secretary of the Interior shall deem sufficient, and to be approved by him, for the faithful discharge of his trust; and the amount necessary to pay the salaries of the officers and clerks herein provided for, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, and also such sum as may be necessary to pay the salaries of said officers and clerks from the date of their appointment to the end of the fiscal year eighteen hundred and sixty-six, are hereby appropriated out of any money in the treasury not otherwise appropriated.

Sec. 5. And be it further enacted, That from and after the thirtieth day of June, eighteen hundred and sixty-six, there shall be an officer in the Treasury Department, to be known as the assistant solicitor of the treasury, who shall be appointed by the Secretary of the Treasury, and who shall receive an annual salary of three thousand dollars. And the attorney-general of the United States is hereby authorized to employ in his office, in addition to the present force, a clerk to be known as the law clerk, at an annual salary of twenty-five hundred dollars. And the amount required to pay the salaries of the officer and clerk herein provided for, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, is hereby appropriated.

Sec. 6. And be it further enacted, That the female clerks and counters employed in the several departments and bureaus, whose appointments are made by the several heads of departments under the provisions of law, and whose legal compensation has heretofore amounted to seven hundred and twenty dollars each per annum, and the female clerks employed at the Post Office Department, shall, from and after the thirtieth day of June, eighteen hundred and sixty-six, receive in lieu of all other compensation an annual salary of nine hundred dollars each per annum; and the amount necessary to pay the increased salaries herein provided for, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, is hereby appropriated out of any money in the treasury not otherwise appropriated.

Sec. 7. And be it further enacted, That the addition of twenty per centum to the compensation of the females not otherwise provided for, messengers, watchmen, and laborers employed in the several departments, and under the commissioner of public buildings and the commissioner of agriculture, and at the capital, by section three of "An act making appropriations for the legislative, executive, and judicial expenses of the government, for the year ending June thirtieth, eighteen hundred and sixty-five, and for other purposes," is hereby continued in force, and the amount necessary to pay the same for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, is hereby appropriated.

Sec. 8. And be it further enacted, That the Secretary of the Navy is authorized to appoint in the several bureaus of his department, in addition to their chief clerks, and in lieu of the clerical force now authorized, clerks as follows, viz: In the bureau of yards and docks, one clerk of class four, who shall be the draughtsman, two clerks of class three, two clerks of class two, and one clerk of class one; in the bureau of navigation, one clerk of class four, and one clerk of class two; in the bureau of equipment and recruiting, one clerk of class four, two clerks of class three, two clerks of class two, and three clerks of class one; in the bureau of ordnance, one clerk of class four, two clerks of class three, and two clerks of class two; in the bureau of constructions and repairs, one clerk of class four, two clerks of class three, two clerks of class two, and
Clerks in
bureau of steam
navigation : one clerk of class one; in the bureau of provisions and
clothing, of medicine
and surgery. Appropriation.

Increase of
pay of certain
inspectors of
customs continued
1864, ch. 71.
Accounts of
Stewart Gwynn.
1865, ch. 79, § 1.

Appropriation
for purchase of
Indian annuity
goods in lieu of
certain destroyed
by fire. Vol. xi. pp. 669,
740.

Appropriation
to pay certain informers their
part of fines, penalties,
and forfeitures.

one clerk of class one; in the bureau of steam navigation, one clerk of
class three; in the bureau of provisions and clothing, one clerk of
class four, three clerks of class three, six clerks of class two, and three clerks
of class one, in the bureau of medicine and surgery, one clerk of class
class four, and one clerk of class three. And the amount necessary to pay the
increase of salaries herein provided for, for the fiscal year ending the
thirtieth of June, eighteen hundred and sixty-seven, is hereby appropri-
ated, out of any money in the treasury not otherwise appropriated.

Sec. 9. And be it further enacted, That the provisions of the act
approved April twenty-nine, eighteen hundred and sixty-four, "increasing
the compensation of inspectors of customs in certain ports," is hereby con-
tinued in force.

Sec. 10. And be it further enacted, That in adjusting the accounts of
Stewart Gwynn, under and by authority of "An act making appropriations
for the legislative, executive, and judicial expenses of the government for
the year ending thirtieth June, eighteen hundred and sixty-six," for print-
ing presses, machinery, material, and labor furnished and supplied to the
Treasury Department, and for expenditures under the authority of the
Secretary, the proper accounting officers of the treasury are hereby au-
thorized to make said adjustment without deducting for expenditures made
by said department, or under authority thereof, upon said presses and ma-
chinery for the purpose of improving and repairing the same.

Sec. 11. And be it further enacted, That the sum of thirty-nine thou-
sand two hundred and seventy-six dollars and fifty cents be, and the same
is hereby, appropriated, out of any money in the treasury not otherwise
appropriated to purchase Indian annuity goods for the Indians parties to
the treaty of Fort Laramie and for the Blackfoot nation, to replace those
destroyed by fire on the steamer Frank Bates, at Saint Louis, April
seventh, eighteen hundred and sixty-six.

Sec. 12. And be it further enacted, That in cases in which moneys
accruing to the United States from "fines, penalties, and forfeitures," or
other sources, have been erroneously received and covered into the treas-
ury before the payment of the proper informers' moieties or other
charges legally and justly charg[e]able against the same, so much money
as may be necessary to pay said claims, admitted and certified in due
course of settlement, is hereby appropriated out of any money in the treas-
ury not otherwise appropriated.

Approved, July 23, 1866.

CHAP. CCIX.—An Act to amend the fifth Section of an Act entitled "An act donat-
ing Public Lands to the several States and Territories which may provide Colleges for the
Benefit of Agriculture and the Mechanic Arts," approved July 2, 1862, so as to extend
the Time within which the Provisions of said Act shall be accepted and such Colleges
established.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the time in which the sev-
eral States may comply with the provisions of the act of July two, eighteen hundred and sixty-two, 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," is hereby extended so that the ac-
ceptance of the benefits of the said act may be expressed within three years
from the passage of this act, and the colleges required by the said act
may be provided within five years from the date of the filing of such ac-
ceptance with the commissioner of the general land office: Provided,
That when any Territory shall become a State and be admitted into the
Union, such new State shall be entitled to the benefits of the said act of
July two, eighteen hundred and sixty-two, by expressing the acceptance
therein required within three years from the date of its admission into
the Union, and providing the college or colleges within five years after
such acceptance, as prescribed in this act: Provided further, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

APPROVED, July 23, 1866.

CHAP. CCX. — An Act to fix the Number of Judges of the Supreme Court of the United States, and to change certain Judicial Circuits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no vacancy in the office of associate justice of the supreme court shall be filled by appointment until the number of associate justices shall be reduced to six; and thereafter the said supreme court shall consist of a chief justice of the United States and six associate justices, any four of whom shall be a quorum; and the said court shall hold one term annually at the seat of government, and such adjourned or special terms as it may find necessary for the despatch of business.

SEC. 2. And be it further enacted, That the first and second circuits shall remain as now constituted; that the districts of Pennsylvania, New Jersey, and Delaware shall constitute the third circuit; that the districts of Maryland, West Virginia, Virginia, North Carolina, and South Carolina shall constitute the fourth circuit; that the districts of Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas shall constitute the fifth circuit; that the districts of Ohio, Michigan, Kentucky, and Tennessee shall constitute the sixth circuit; that the districts of Indiana, Illinois, and Wisconsin, shall constitute the seventh circuit; that the districts of Minnesota, Iowa, Missouri, Kansas, and Arkansas shall constitute the eighth circuit; and the districts of California, Oregon, and Nevada shall constitute the ninth circuit.

APPROVED, July 23, 1866.

CHAP. CCXI. — An Act to quiet the Title to certain Lands within the corporate Limits of the City of Benicia and the Town of Santa Cruz in the State of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right and title of the United States to the land situated within the corporate limits of the city of Benicia, in the county of Solano, State of California, as defined in the act incorporating said city, passed by the legislature of the State of California, April twenty-four, eighteen hundred and fifty-one, be, and the same are hereby, relinquished and granted to the said city and its successors, upon trust, however, that so much of said lands as is in the bona fide occupancy of parties upon the passage of this act, by themselves or tenants, shall be conveyed by said city to such parties: Provided, however, That the relinquishment and grant by this act shall not extend to any lands within said corporate limits occupied as a military depot of the United States, or heretofore reserved by the United States for public purposes; nor shall they interfere with or prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, or prejudice a judicial examination and adjustment thereof.

SEC. 2. And be it further enacted, That all the right and title of the United States to the land within the corporate limits of the town of Santa Cruz in the State of California, as defined in the act of the legislature of that State incorporating said town, be, and the same are hereby, relinquished and granted to the corporate authorities of said town and their successors, in trust for and with authority to convey so much of said lands

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as are in the bona fide occupancy of parties upon the passage of this act by themselves or tenants, to such parties: Provided, That this grant shall not extend to any reservation of the United States, nor prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, nor preclude a judicial examination and adjustment thereof.

Approved, July 23, 1866.

July 23, 1866.

Chap. CCXII.—An Act for a Grant of Lands to the State of Kansas to aid in the Construction of the Northern Kansas Railroad and Telegraph

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of Kansas, for the use and benefit of the Saint Joseph and Denver City Railroad Company, the same being a corporation organized under the laws of the State of Kansas, to construct and operate a railroad from Elwood, in Kansas, westwardly, via Maryville, in the same State, so as to effect a junction with the Union Pacific Railroad, or any branch thereof not farther west than the one hundredth meridian of west longitude, every alternate section of land designated by odd numbers, for ten sections in width on each side of said road, to the point of intersection. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold any section or any part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected for the purposes aforesaid, from the public lands of the United States nearest to tiers of sections above specified, so much land, in alternate sections or parts of sections designated by odd numbers, as shall be equal to such lands as the United States have sold, reserved, or otherwise appropriated, or to which the rights of pre-emption or homestead settlements have attached aforesaid; which lands, thus indicated by odd numbers, and selected by direction of the Secretary of the Interior as aforesaid, shall be held by the State of Kansas for the use and purpose aforesaid: Provided, That the land to be so selected shall in no case be located farther than twenty miles from the line of said road: Provided further, That the lands hereby granted for and on account of said road shall be exclusively applied in the construction of the same and for no other purpose whatever, and shall be disposed of only as in this act hereinafter provided: Provided, also, That no part of the land granted by this act shall be applied to aid in the construction of any railroad or part thereof for the construction of which any previous grant of land or bonds has been made by Congress: And provided further, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operations of this act, except so far as may be found necessary to locate the route of said road through said lands; in which case the right of way for one hundred feet on each side of said road only shall be granted, subject to the approval of the President of the United States.

Sec. 2. And be it further enacted, That the sections and parts of sections of land which by such grant shall remain to the United States, within ten miles on each side of said road, shall not be sold for less than double the minimum price; to be exposed to public sale, actual and bona fide settlers, under the provisions of the pre-emption and homestead laws;
of the United States, may, after due proof of settlement, improvement,
cultivation, and occupation, as now provided by law, purchase the same,
at the increased minimum price aforesaid: And provided also, That set-
tlers on any of said reserved sections, under the provisions of the home-
stead law, who improve, occupy, and cultivate the same for a period of
five years, and comply with the several conditions and requirements of
said act, shall be entitled to patents for an amount not exceeding eighty
acres each, anything in this act to the contrary notwithstanding.

SEC. 3. And be it further enacted, That the grant of the lands hereby
made is upon condition that said company, after the construction of its
road, shall keep it in repair and use, and shall at all times be in readiness
to transport troops, munitions of war, supplies and public stores upon its
roads for the government when required to do so by any department
thereof, the government at all times having the preference in the use of the
road for all the purposes aforesaid at fair and reasonable rates of compen-
sation, not exceeding that paid by private individuals or the average paid
for like services on other roads. And the lands hereby granted, held, and
reserved as aforesaid shall inure to the benefit of said company, as fol-
low: When the governor of the State of Kansas shall certify that any
section of ten consecutive miles of said road is completed in a good, sub-
stantial, and workmanlike manner as a first-class railroad, then the said
Secretary of the Interior shall issue to the said company patents for so
many sections of the land hereinafter granted as lie opposite to and
coterminous with the said completed sections. And when certificates of
the governor, aforesaid, shall be presented to said Secretary, of the com-
pletion, as aforesaid, of each successive section of ten consecutive miles
of said road, the said Secretary shall in like manner issue to said company
patents for the said sections of land as aforesaid for each of said
sections of road until said road shall be completed: Provided, That if
said railroad company or its assigns shall fail to complete at least one
section of said road each year from the date of its acceptance of the
grant provided for in this act, then its right to the lands for said sec-
tion so failing of completion shall revert to the government of the
United States: Provided further, That if said road is not completed
within ten years from the date of the acceptance of the grant hereina-
before made, the lands remaining unpatented shall revert to the United
States.

SEC. 4. And be it further enacted, That as soon as the said company
shall file with the Secretary of the Interior maps of its lines, designating
the route thereof, it shall be the duty of the said Secretary to withdraw
from the market the lands granted by this act, in such manner as may be
best calculated to effect the purposes of this act and subserve the public
interest.

SEC. 5. And be it further enacted, That the United States mail shall
be transported on said road and its extension, under the direction of the
Post Office Department, at such price as Congress may by law provide:
Provided, That until such price is fixed by law the Postmaster-General
shall have power to fix the compensation.

SEC. 6. And be it further enacted, That the right of way through the
public lands be, and the same is hereby, granted to said Saint Joseph and
Denver City Railroad Company, its successors and assigns, for the con-
struction of a railroad as proposed; and the right is hereby given to said
corporation to take from the public lands adjacent to the line of said road
material for the construction thereof. Said way is granted to said rail-
road to the extent of one hundred feet in width on each side of said
road where it may pass through the public domain; also all necessary
ground for station buildings, workshops, depots, machine-shops, switches,
side-tracks, turn-tables, and water-stations.

SEC. 7. And be it further enacted, That the acceptance of the term,
Acceptance of conditions, and impositions of this act by the said Saint Joseph and Denver City Railroad Company shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within six months after the passage of this act and not afterwards, and shall be deposited with the Secretary of the Interior.

APPROVED, July 23, 1866.

CHAP. CCXIII.—An Act to regulate the Registering of Vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act approved on the tenth day of February, in the year one thousand eight hundred and sixty-six, entitled "An act to regulate the registering of vessels," shall not be deemed or construed to affect or limit the operation of the act approved on the twenty-third day of December, in the year one thousand eight hundred and fifty-two, entitled "An act authorizing the Secretary of the Treasury to issue registers to vessels in certain cases," but the same shall be in full force and effect, anything in the act first aforesaid to the contrary notwithstanding.

APPROVED, July 23, 1866.

CHAP. CCXIV.—An Act to authorize the Construction of a Railroad through certain Land of the United States in Kansas.

Leavenworth City Railroad Company may construct horse railway through military reservation, may take land for road. Location of road. Company to erect own bridges and crossings. Land granted, to revert if not used for railroad purposes. Privilege to cease at will of Secretary of War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Leavenworth City Railroad Company be, and are hereby, authorized to construct a horse railway, with one or two tracks, through the military reservation from Fort Leavenworth to the city of Leavenworth, Kansas, and take for the accommodation of the said road, or the business thereof, a strip of land over twenty feet in width: Provided, That the location of said railroad through said reservation shall be on and along the west side of the wagon road leading from the said city to the said fort, and that the said company shall erect their own bridges and crossings, and not be permitted to use those of the wagon road: And provided also, That whenever said strip of land shall cease to be used for the purposes of said railroad company or the accommodation of the business thereof, the same shall revert to the United States; that this privilege shall be allowed as long as the Secretary of War shall, in his discretion, determine, and no longer.

APPROVED, July 23, 1866.

CHAP. CCXV—An Act to amend the Acts approved August six, eighteen hundred and sixty-one, and July sixteen, eighteen hundred and sixty-two, establishing a Metropolitan Police in the District of Columbia, to increase the Efficiency thereof, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the chief executive officer of the police shall hereafter be styled major; the present sergeants shall be called lieutenants; the roundsmen called sergeants, and the patrolmen called privates; and that, in addition to the officers and employes the commissioners of the metropolitan police, in the District of Columbia, are now authorized by law to appoint, the said commissioners be authorized to appoint one captain, who shall be the inspector of the force, command it in sickness or absence of the major, and perform such other duties as the said commissioners may direct; one clerk in the office of the major, who shall have charge of the records of the sanitary company, and
perform such other duties as the major, by direction or with the approval
of the commissioners, may prescribe; twenty sergeants, and fifty patrol-
men or privates.

Sec. 2. And be it further enacted, That the provisions of the sixth
section of the act of July sixteen, eighteen hundred and sixty-two, author-
izing the selection of justices of the peace by the board of police, to of-
ficiate at the respective station-houses, be construed to provide for the
hearing of all cases of offence against statutory, corporation, or common
law, of which the said board is charged by law with the execution; and
all fines imposed by any justice within either of the jurisdictions of the
metropolitan police district shall be, by the justices imposing the same,
paid into the hands of the treasurer of the board of police, on the first
Thursday after the same shall have been collected, who shall duly re-
ceive thereof, in duplicate, to the credit of the city or county within
which the offence was committed; and such justice shall, in each case,
return the original receipt to the treasurer of the same jurisdiction; and
the treasurer of the police board shall pay over such sums monthly to the
proper officers of said cities or county, upon proper receipts, except as
hereinafter provided.

Sec. 3. And be it further enacted, That from and after the expiration
of licenses already granted it shall be unlawful for any person or persons
keeping an ordinary, restaurant, saloon, or other place where spirituous
liquors are sold within the District of Columbia, to give, sell, or dispose
of any intoxicating drinks without a license approved by the board of
police; and hereafter no such license shall be considered legal by any of
the authorities having jurisdiction within said district, until the same
shall have been approved by the board of police and so certified by the
secretary thereof under the office seal.

Sec. 4. And be it further enacted, That the board of police shall
provide specific rules for uniform clothing of the police force, which shall
be procured by each of the members thereof respectively, strictly in con-
formity with such rules, at his own expense and risk, and he shall be re-
moved from such force for not complying with such rules.

Sec. 5. And be it further enacted, That from and after the passage of
this act the property clerk of the metropolitan police district shall be vested
with all the powers now conferred by law upon notaries public in the
District of Columbia. He may administer oaths and certify depositions
which may be necessary to establish the ownership of any property or
money lost, abandoned, or returned to him under the directions of the
board of police, other than such as may be so returned as the proceeds
of crime; and upon satisfactory evidence of such ownership he shall de-
liver the same to said owner, his heirs and legal representatives, and to
him or them only, except it be proven impracticable for such owner, heirs,
or repre-entatives to appear, when the same may be delivered and re-
ccepted for upon such proof of ownership and the filing in the office of
said property clerk, of a duly executed power of attorney from said owner
or his heirs or legal representatives. And any property or money re-
turned to the property clerk as the proceeds of crime, and which shall
not be called for as evidence by any proceeding in the courts of the Dis-
trict within one year from the date of such return, may, unless specially
claimed by the owner within that time, be thereafter treated as other un-
claimed, abandoned, or lost property or money, as provided in the act of
July sixteen, eighteen hundred and sixty-two.

Sec. 6. And be it further enacted, That where animals or articles of
property, other than money, are returned to the property clerk as the
proceeds of crime, when shown by sufficient evidence to be necessary for
the current use of the owners and not for sale, (except perishable prop-
erty that may be delivered to the owner on ample security being taken by
the committing magistrate for his appearance at the criminal court to
prosecute the case,) the board of police shall have power, in its discretion, to authorize the property clerk to place the same in the custody of such owners, upon sufficient bonds being given by said owner or owners in the sum of twice the value thereof, conditioned for the production of the same at any time within one year, when required for use in court as evidence in any proceeding thereon, in accordance with the provisions required by the act of July sixteenth, eighteen hundred and sixty-two. And in cases of large quantities of goods held for sale by the owners, that may come into the possession of the property clerk as the proceeds of crime, the same may be delivered to the said owner, his heirs or representatives, as provided in section five of this act, upon ample security to prosecute, except those of an estimated value of fifty dollars, which shall be retained by the property clerk until the discharge or conviction of the accused, as required by said act.

SEC. 7. And be it further enacted, That hereafter no person shall assume or practise the occupation of detective within the limits of the District of Columbia who shall not first receive a specific appointment for that purpose, unless pursuing the detection of criminals as a private business outside of such authority, and not otherwise specifically authorized by law. Any person so practising shall enter into bonds to the board of police with surety in the sum of not less than ten thousand dollars, to be approved by the board of police, for a faithful and correct return to said board, in such manner and at such times as the board of police shall direct, of all business transacted by such private detectives; and in each and every case of a forfeiture of such bond or bonds for failure to make such returns to said board as required, or for failure of persons accused by such bonded private detectives to appear to answer charges in court, it shall be the duty of the attorney of the United States for the said District to immediately prosecute the sureties thereon to the full extent of a recovery of the forfeitures. And it shall be the duty of any person prosecuting the business of a private detective, who may arrest a person for crime, to bring the person arrested with all evidence of the alleged crime, including property or money which may become evidence, immediately to the office of the superintendent of police, or the nearest metropolitan police station, where the case shall undergo an examination before the magistrate assigned thereto; and all laws or parts of laws that govern the metropolitan police in the matters of persons, property, or money shall hereafter be applicable to said detectives, (or to persons practising as detectives, whatever other name they may assume,) who shall make like returns and dispositions thereof, as required by law and the rules of the board of police governing the metropolitan police force.

SEC. 8. And be it further enacted, That upon the execution of a private detective's bond, it shall be the duty of such private detectives to report to the secretary of the Board of Police, who shall file such bond and record the name, age, description, nationality, and residence of said private detective; and it shall be unlawful for such detectives, or any member of the metropolitan police force, or for any and all other persons, to compromise a felony or any other unlawful act, or to participate in, assist to, aid, or assist any person suspected of crime to escape a full judicial examination by failing to give known facts or reasonable causes of suspicion, or withholding any information relative to the charge or suspicion from the police magistrate or justice, or in any manner to receive any money, property, favor, or other compensation, from, or on account of, any person arrested or subject to arrest for any crime or supposed crime, or to permit any such person to go at large without due effort to secure an investigation of such supposed crime; and for any violation of the foregoing provisions of this section, or either of them, the said police, or private detective, or other person guilty thereof, shall be deemed as having compromised a felony, and be thereafter prohibited from acting as

Large quantities of goods held for sale.

No person to assume or practise the occupation of detective in the District of Columbia without specific appointment thereof, unless, &c.

Bond.

Sureties on bond, when to be prosecuted.

Detectives assisting persons for crime to carry them at once to office of superintendent of police, &c.

Case to be examined.

Laws relating to police to apply to detectives.

When a private detective's bond is executed, he shall report to secretary of police.

Bond to be filed and record made.

Felonies, &c. not to be compounded.

Persons suspected of crime, not to be aided to escape by withholding information, &c.

Money, &c. not to be received from those charged with crime.

Penalty for violation thereof.
an officer of the metropolitan police force or as a private detective, and shall be prosecuted to the extent of the law for aiding criminals to escape the ends of justice.

Approved, July 23, 1866.

CHAP. CCXVI—An Act to give certain Powers to the Levy Court of the County of Washington in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the existing remedy by distress, for the recovery of taxes due to the levy court in the county of Washington, real property in said county, outside the corporate limits of Georgetown and Washington, on which one year's taxes shall be due and unpaid, or so much thereof, not less than one acre, (where the property on which the tax has accrued is not less than that quantity,) as may be necessary to pay any such taxes, with all legal costs and charges arising thereon, may be sold at public sale, to satisfy such taxes and expenses, by the collector appointed by the levy court of said county: Provided, That public notice be given of the time and place of sale by advertising once a week for eight successive weeks in some newspaper published in the city of Washington, in which advertisement shall be given a sufficient and definite description of the property selected for sale, the name of the person to whom the same is assessed, and the aggregate amount of taxes due thereon. The purchaser or purchasers of any such property shall pay, at the time of such sale, the amount of taxes due on the property so purchased by him, her, or them, respectively, with the amount of the expenses of sale, and shall pay the residue of the purchase-money within ten days after the expiration of two years from the day of sale, to the collector or other officer of the levy court authorized to receive the same, and the amount of such residue shall be placed in the treasury of said levy court, subject to the order of the original proprietor or proprietors of the property sold, his, her, or their legal representatives; and the purchaser or purchasers of said property shall receive a title thereto in fee simple, by deed, under the hand of the president of said levy court and its seal, which shall be deemed good and valid in law and equity: Provided, nevertheless, That if within two years from the day of any such sale, or before such purchaser or purchasers shall have paid the residue, if any, of the purchase-money as aforesaid, the proprietor or proprietors of any property sold as aforesaid, his, her, or their agents, or legal representatives, shall repay to such purchaser or purchasers the money paid for taxes and expenses as aforesaid, together with ten per centum per annum as interest thereon, or make a tender thereof, or deposit the same with the treasurer of said levy court or other officer authorized to receive the same, for the use of such purchaser or purchasers, and subject to his or the order, he, she, or they shall be reinstated in his, her, or their original right and title, as if no such sale had been made; and if any purchaser shall fail to pay the residue of the purchase-money as aforesaid within the time required as aforesaid, for any property so purchased by him, he shall pay ten per centum per annum, as interest thereon, in addition to such residue, from the expiration of the two years as aforesaid, until the actual payment of such residue and the receiving of a conveyance as aforesaid, and said interest shall alike be subject to the order of the original proprietor or proprietors as the residue of the purchase-money aforesaid: Provided also, That no sale shall be made of any improved property in pursuance of this section, whereon there is personal property of sufficient value to pay said taxes, nor of such improved property whereon there is not such personal property, until the collector shall first file a sworn return with the clerk of said levy court that there is no such personal property, which return shall be prima facie proof of that fact; and that minors, mortgagees, and others having equitable liens or
other interests, as creditors, in real property sold for taxes as aforesaid shall be allowed one year after such minors' coming to full age, or after such mortgagees, or others having equitable interests, obtaining possession of, or a decree for the sale of, such property, to redeem the same from the purchaser or purchasers, his, her, or their heirs or assigns, on paying the amount of the purchase-money so paid therefor, with ten per centum interest thereon per annum, and the value of any improvements erected on said property by the purchaser or his assigns while in his possession.

SEC. 2. And be it further enacted, That it shall be lawful for the collector to postpone, after such advertisement, the sale of the property advertised according to the foregoing section, to any future day, for want of bidders or other reasonable cause, giving public notice of such postponement; and the sale made at such postponed time shall be equally valid as if made on the day stated in the advertisement.

SEC. 3. And be it further enacted, That the collector of said levy court shall have authority to collect any tax lawfully imposed by said court, by distress and sale not to be made, unless, &c.

SEC. 4. And be it further enacted, That it shall not be necessary that the said levy court shall have actually paid the portion of the general expenses of the county of Washington, or any other expenses a portion of which either of the cities of Washington or Georgetown is liable for, to enable the said court to demand of either of said cities payment of its proportion of said expenses already incurred, or for the supreme court of the District of Columbia to act summarily in the matter and give judgment, according to the provisions of the act of July one, eighteen hundred and twelve, entitled "An act conferring certain powers on the levy court for the county of Washington, in the District of Columbia."

Approved, July 23, 1866.

July 23, 1866.

HAP. CCXVIL — An Act relating to Public Schools in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the eighteenth section of the act entitled "An act to provide for the public instruction of youth in the county of Washington, District of Columbia, and for other purposes," approved June twenty-five, eighteen hundred and sixty-four, shall be so construed as to require the cities of Washington and Georgetown to pay to the trustees of colored schools of said cities such a proportionate part of all moneys received or expended for school or educational purposes in said cities, including the cost of sites, buildings, improvements, furniture, and books, and all other expenditures on account of schools, as the colored children between the ages of six and seventeen years, in the respective cities, bear to the whole number of children, white and colored, between the same ages. That the money shall be considered due and payable to said trustees on the first day of October of each year, and if not then paid over to them, interest at the rate of ten per centum per annum on the amount unpaid may be demanded and collected from the authorities of the delinquent city by said trustees.

SEC. 2. And be it further enacted, That the said trustees may maintain an action of debt in the supreme court of the District of Columbia against said cities of Washington and Georgetown for the non-payment of any sum of money arising under the aforesaid act of June twenty-five, eighteen hundred and sixty-four.

Approved, July 23, 1866.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Ford, George D. Williams, Thomas W. Hyde, Oliver Edwards, Charles H. Herd, Samuel A. Fulton, Charles Otis, Charles A. Ecleston, George W. Holmes, Joseph E. Hollis, John F. Broadhead, and Lewis P. Moody, or any five of them, be, and are hereby, authorized and empowered to receive subscriptions to the capital stock of a corporation to be denominated the Metropolitan Mining and Manufacturing Company of the District of Columbia, who shall open a book for that purpose in the city of Washington, at the time and place to be by them designated, of which they shall give five days' notice in two or more of the daily papers of said city, and shall keep the same open until twenty thousand shares of one hundred dollars a share shall have been subscribed; and any person of lawful age, and a citizen of the United States, shall be permitted to subscribe upon paying five dollars on each share at the time of subscribing. And it shall be lawful for the said corporation to have a common seal, sue and be sued, plead and be impleaded, and have and exercise all the rights, privileges, and immunities for the purpose of the corporation hereby created.

Sec. 2. And be it further enacted, That the affairs of the company shall be managed by nine directors, to be elected annually by ballot on the second Monday of July, by the stockholders or by their legally empowered agents: and each share of stock shall entitle the holder thereof to one vote, the election to be held at the office of the company at a general meeting of the stockholders convened for that purpose, by ten days' public notice in two or more of the daily papers of the city of Washington: Provided, That the first election for directors shall be held pursuant to five days' notice given in one or more of the daily papers of the city of Washington, by the persons named in the first section of this act, or any five of them, who shall designate the time when and the place where said election shall be held; and the stockholders shall then and there elect nine directors to serve until the next ensuing election and until their successors shall be duly elected and qualified as provided for in this act. And at the first ensuing meeting of the directors after every election they shall appoint one of their number as president, who shall hold office until the election and qualification of his successor. And five members of said board shall compose a quorum. And in case that an election for directors should not be made when pursuant to this act it should have been made, the company for that cause shall not be dissolved; and it shall be lawful within forty days thereafter to hold and make an election for directors in such manner as the by-laws of the company may prescribe, and the president and directors for the time being shall be continued in office until such election take place. And in the event of the death, resignation, or removal of any director from office, his place for the remainder of his term may be filled by the president and directors for the time being, in such manner as the by-laws may prescribe.

Sec. 3. And be it further enacted, That the president and directors shall have power to appoint a secretary and such other officers, agents, and clerks as may to them appear proper, to fix their compensation, and pay the same.

Sec. 4. And be it further enacted, That the capital stock shall be called in and paid in such instalments and proportions, and at such times and places, as the president and directors, for the time being, may require and designate. And if any stockholder, subscriber, their assignee or transferee, shall refuse or neglect to pay such proportion or instalment at the time and place appointed, such stockholder, subscriber, transferee, or assignee shall, at the option of the president and directors, forfeit to the
use of the company all his, her, or their right, title, and interest in and to every share on which such instalments have not been duly paid; and fresh subscriptions may be opened for the said shares in such manner as the by-laws may prescribe, or the president and directors may, at their option, commence suit for any instalment that may be due and unpaid, and recover against the holder of said stock for the amount of the same: Provided, That no stockholder or subscriber shall be permitted to vote at any election for directors or at any general or special meeting of the company, on whose shares any instalments or arrearages may be due more than fifteen days previous thereto.

SEC. 5. And be it further enacted, That the president and directors for the time being shall have power to ordain, establish, and put in execution such rules, regulations, ordinances, and by-laws as they may deem essential for the well-government of the institution, not contrary to the laws and Constitution of the United States or of any State, or of this act, and generally to do and perform all acts, matters, and things which a corporation may or can lawfully do.

SEC. 6. And be it further enacted, That the president and directors are hereby empowered and fully authorized, on behalf of said company, to carry on the business of mining for iron ore and other native minerals, and manufacturing and preparing the same for market; and to purchase and hold by deed for a term or in fee simple such real estate and other property within the District of Columbia and State of Virginia as may be necessary and proper for the purposes aforesaid; and to issue bonds not exceeding one half of the capital stock, upon such terms as may be deemed for the best interests of the company: Provided, That no bond shall be issued for a less sum than one hundred dollars, or bearing interest at a rate exceeding six per centum per annum.

SEC. 7. And be it further enacted, That the president and directors are hereby empowered and fully authorized, on behalf of said company, to lease, demise, bargain, sell, and convey any lands and real estate which may be owned or held by said company, and to execute and deliver to purchasers good and sufficient deeds therefor.

SEC. 8. And be it further enacted, That the stock of said company shall be transferred on the books of the company in such manner only as the by-laws of the company shall direct.

SEC. 9. And be it further enacted, That nothing in this act shall be so construed as making it perpetual, but Congress may at any time alter, amend, or repeal the same.

APPROVED, July 23, 1866.

CHAP. CCXIX.—An Act to quiet Land Titles in California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where the State of California has heretofore made selections of any portion of the public domain in part satisfaction of any grant made to said State by any act of Congress, and has disposed of the same to purchasers in good faith under her laws, the lands so selected shall be, and hereby are, confirmed to said State: Provided, That no selection made by said State contrary to existing laws shall be confirmed by this act for lands to which any adverse pre-emption, homestead, or other right has, at the date of the passage of this act, been acquired by any settler under the laws of the United States, or to any lands which have been reserved for naval, military, or Indian purposes by the United States, or to any mineral land, or to any land held or claimed under any valid Mexican or Spanish grant, or to any land which, at the time of the passage of this act, was included within the limits of any city, town, or village, or within the county of San Francisco: And provided further, That the State of California shall not re-
receive under this act a greater quantity of land for school or improvement than she is entitled to.

SEC. 2. And be it further enacted, That where the selections named in section one of this act have been made upon land which has been surveyed by authority of the United States, it shall be the duty of the proper authorities of the State, where the same has not already been done, to notify the register of the United States land office for the district in which the land is located of such selection, which notice shall be regarded as the date of the State selection, and the commissioner of the general land office shall, immediately after the passage of this act, instruct the several local registers to forward to the general land office, after investigation and decision, all such selections, which, if found to be in accordance with section one of this act, the commissioner shall certify over to the State in the usual manner.

SEC. 3. And be it further enacted, That where the selections named in section one of this act have been made upon lands which have not been surveyed by authority of the United States, but which selections have been surveyed by authority of and under the laws of said State, the lines of the two surveys shall be so changed as to include those legal subdivisions which nearest conform to the identical land included in the State survey and selection. Upon the filing with the register of the proper United States land office of the township plat in which any such selection of unsurveyed land is located, the holder of the State title shall be allowed the same time to present and prove up his purchase and claim under this act as is allowed preemptors under existing laws; and if found in accordance with section one of this act, the land embraced therein shall be certified over to the State by the commissioner of the general land office.

SEC. 4. And be it further enacted, That in all cases where township surveys have been, or shall hereafter be, made under authority of the United States, and the plats thereof approved, it shall be the duty of the commissioner of the general land office to certify over to the State of California as swamp and overflowed, all the lands represented as such, upon such approved plats, within one year from the passage of this act, or within one year from the return and approval of such township plats. The commissioner shall direct the United States surveyor-general for the State of California to examine the segregation maps and surveys of the swamp and overflowed lands made by said State; and where he shall find them to conform to the system of surveys adopted by the United States, he shall construct and approve township plats accordingly, and forward to the general land office for approval: Provided, That in segregating large bodies of land, notoriously and obviously swamp and overflowed, it shall not be necessary to subdivide the same, but to run the exterior lines of such body of land. In case such surveys are found not to be in accordance with the system of United States surveys, and in such other townships as no survey has been made by the United States, the commissioner shall direct the surveyor-general to make segregation surveys, upon application to said surveyor-general by the governor of said State, within one year of such application, of all the swamp and overflowed land in such townships, and to report the same to the general land office, representing and describing what land was swamp and overflowed under the grant, according to the best evidence he can obtain. If the authorities of said State shall claim as swamp and overflowed any land not represented as such upon the map or in the returns of the survey, then she is entitled to.

Where selections are upon lands surveyed only by State authority, and lands are sold, selections to have the same effect as certain pre-emption rights. Upon survey by the United States the lines of the two surveys do not agree, selection to be changed.

Upon filing township plat, holder of State title allowed what time to present, &c, his claim.

Where township surveys have been made and plats approved, swamp and overflowed lands to be certified to State within one year.

Segregation maps, &c of swamp and overflowed lands made by State, to be examined, &c.

If found to conform to United States surveys, those lands not so represented in

If State claims as swamp, &c, lands not so represented in
map, character of land how to be determined.

Lists of lands selected and of lands claimed by State, to be sent to general land office.

State may select for school purposes lands in lieu of certain sections. 1853, ch. 145. Vol. x. p. 244.

Surveyor-general to furnish State authorities with lists.

Purchasers of lands of Mexican grantees, the grants being subsequently rejected, &c. may buy same at minimum price, &c.

Limit of such right to purchase.

Lines of public surveys when not to run through permanent improvements.

Where claims to land by title from Spanish, &c. authorities, have been confirmed, and a survey and plat not requested within ten months, &c., lines of surveys to be extended.

ors, the character of such land at the date of the grant, September twenty-eight, eighteen hundred and fifty, and the right to the same, shall be determined by testimony, to be taken before the surveyor-general, who shall decide the same, subject to the approval of the commissioner of the general land office.

SEC. 5. And be it further enacted, That it shall be the duty of the commissioner of the general land office to instruct the officers of the local land offices and the surveyor-general, immediately after the passage of this act, to forward lists of all selections made by the State referred to in section one of this act, and lists and maps of all swamp and overflowed lands claimed by said State, or surveyed as provided in this act, for final disposition and determination, which final disposition shall be made by the commissioner of the general land office without delay.

SEC. 6. And be it further enacted, That an act entitled “An act to provide for the survey of the public lands in California, the granting of in lieu of certain pre-emption rights therein, and for other purposes.” approved March third, one thousand eight hundred and fifty-three, shall be construed as giving the State of California the right to select for school purposes other lands in lieu of such sixteenth and thirty-sixth sections as were settled upon prior to survey, reserved for public uses, covered by grants made under Spanish or Mexican authority, or by other private claims, or where such sections would be so covered if the lines of the public surveys were extended over such lands, which shall be determined whenever township lines shall have been extended over such land, and in case of Spanish or Mexican grants, when the final survey of such grants shall have been made. The surveyor-general for the State of California shall furnish the State authorities with lists of all such sections so covered, as a basis of selection, such selections to be made from surveyed lands, and within the same land district as the section for which the selection is made.

SEC. 7. And be it further enacted, That where persons in good faith, and for a valuable consideration, have purchased lands of Mexican grantees or assigns, which grants have subsequently been rejected, or where the lands so purchased have been excluded from the final survey of any Mexican grant, and have used, improved, and continued in the actual possession of the same as according to the lines of their original purchase, and where no valid adverse right or title (except of the United States) exists, such purchasers may purchase the same, after having such lands surveyed under existing laws, at the minimum price established by law, upon first making proof of the facts as required in this section, under regulations to be provided by the commissioner of the general land office, joint entries being admissible by coterminal proprietors to such an extent as will enable them to adjust their respective boundaries; Provided, That the provisions of this section shall not be applicable to the city and county of San Francisco: Provided, That the right to purchase herein given shall not extend to lands containing mines of gold, silver, copper, or cinnabar: Provided, That whenever it shall be made to appear by petition from the occupants of such land that injury to permanent improvements would result from running the lines of the public surveys through such permanent improvements, the commissioner of the general land office may recognize existing lines of subdivisions.

SEC. 8. And be it further enacted, That in all cases where a claim to land by virtue of a right or title derived from the Spanish or Mexican authorities has been finally confirmed, and a survey and plat thereof shall not have been requested within ten months from the passage of this act, as provided by sections six and seven of the act of July first, eighteen hundred and sixty-four, “To expedite the settlement of titles to lands in the State of California,” and in all cases where a like claim shall hereafter be finally confirmed, and a survey and plat thereof shall not be requested, as provided by said sections within ten months after the passage of this
act, or any final confirmation hereafter made, it shall be the duty of the surveyor-general of the United States for California, as soon as practicable after the expiration of ten months from the passage of this act, or such final confirmation hereafter made, to cause the lines of the public surveys to be extended over such land, and he shall set off, in full satisfaction of such grant, and according to the lines of the public surveys, the quantity of land confirmed in such final decree, and as nearly as can be done in accordance with such decree; and all the land not included in such grant as so set off shall be subject to the general land laws of the United States: Provided, That nothing in this act shall be construed so as in any manner to interfere with the right of bona fide pre-emption claimants.

SEC. 9. And be it further enacted, That from the decrees of the district courts of the United States for the district of California, approving or correcting the surveys of private land claims under Spanish or Mexican grants, rendered after the first day of July, one thousand eight hundred and sixty-five, an appeal shall be allowed for the period of one year after the entry of such decrees to the circuit court of the United States for California, as provided by section three of the act of July first, one thousand eight hundred and sixty-four, to expedite the settlement of titles to land in the State of California, and the decision of the circuit court shall be final: Provided, however, That from decrees of the district courts, as aforesaid, made after July one, eighteen hundred and sixty-five, and prior to the passage of this act, an appeal may be taken to the United States circuit court for the State of California within one year from the approval of this act.

APPROVED, July 23, 1866.

CHAP. CCXXX.—An Act to aid in the Construction of Telegraph Lines, and to secure to the Government the Use of the same for postal, military, and other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any telegraph company now organized, or which may hereafter be organized under the laws of any State in this Union, shall have the right to construct, maintain, and operate lines of telegraph through and over any portion of the public domain of the United States, over and along any of the military or post roads of the United States which have been or may hereafter be declared such by act of Congress, and over, under, or across the navigable streams or waters of the United States: Provided, That such lines of telegraph shall be so constructed and maintained as not to obstruct the navigation of such streams and waters, or interfere with the ordinary travel on such military or post roads. And any of said companies shall have the right to take and use from such public lands the necessary stone, timber, and other materials for its posts, piers, stations, and other needful uses in the construction, maintenance, and operation of said lines of telegraph, and may pre-empt and use such portion of the unoccupied public lands subject to pre-emption through which its said lines of telegraph may be located as may be necessary for its stations, not exceeding forty acres for each station; but such stations shall not be within fifteen miles of each other.

SEC. 2. And be it further enacted, That telegraphic communications between the several departments of the government of the United States and their officers and agents shall, in their transmission over the lines of any of said companies, have priority over all other business, and shall be sent at rates to be annually fixed by the Postmaster-General.

SEC. 3. And be it further enacted, That the rights and privileges hereby granted shall not be transferred by any company acting under this act to any other corporation, association, or person: Provided, however, That
The United States may at any time after the expiration of five years from the date of the passage of this act, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all of said companies at an appraised value, to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster-General of the United States, two by the company interested, and one by the four so previously selected.

SEC. 4. And be it further enacted, That before any telegraph company shall exercise any of the powers or privileges conferred by this act, such company shall file their written acceptance with the Postmaster-General of the restrictions and obligations required by this act.

APPROVED, July 24, 1866.

July 25, 1866

CHAP. CCXXXI.—An Act to define the Number and regulate the Appointment of Officers in the Navy, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the number allowed in each grade of line officers on the active list of the navy shall be one admiral, one vice admiral, ten rear admirals, twenty-five commodores, fifty captains, ninety commanders, one hundred and eighty lieutenant commanders, one hundred and eighty lieutenants, one hundred and sixty masters, one hundred and sixty ensigns, and in other grades the number now allowed by law: Provided, That the increase in the grades authorized by this act shall be made by selection from the grade next below of officers who have rendered the most efficient and faithful service during the recent war, and who possess the highest professional qualifications and attainments. And nothing in this act shall preclude the advancement in rank now authorized by law for distinguished conduct in battle, or for extraordinary heroism: And provided further, That nothing in this act, nor in the fourteenth section of the act approved July sixteenth, eighteen hundred and sixty-two, entitled an act to establish and equalize the grade of the line officers of the navy, shall be so construed as to prevent the Secretary of the Navy from promoting to the grade of rear admiral on the retired list those commodores who have commanded squadrons by order of the Secretary of the Navy, or who have performed other highly meritorious service.

SEC. 2. And be it further enacted, That of the number of line officers of the navy on the active list, five lieutenant commanders, twenty lieutenants, fifty masters, and seventy-five ensigns may be appointed from those officers who have served in the volunteer naval service for a period of not less than two years, and who are either now in that service or have been honorably discharged therefrom: Provided, That if by reason of these appointments the number of officers in any grade shall exceed the number fixed by law, no more promotions or appointments to that grade shall be made until the number is reduced below the number fixed by law for that grade: And provided further, That the authority given by this section shall be exhausted when the number of volunteer officers above named shall have been once appointed.

SEC. 3. And be it further enacted, That the Secretary of the Navy shall appoint a board consisting of not less than three naval officers superior in rank to the officers to be thus appointed in the regular navy from the volunteer service, which board, after examination of the claims of all candidates, shall select and report to the Secretary of the Navy the most meritorious in character, ability, professional competency, and honorable service, the number to be appointed and transferred to the several grades mentioned in the second section of this act, provided they shall find that number who are suitably qualified therefor. And any officer who has served in the volunteer naval service for the term of two years or
more shall have the right to appear before the examining board and present his claims and be examined for an appointment in the regular navy. And any volunteer officers attached to vessels at sea or on foreign stations may be appointed to the regular navy, subject to the conditions contained in this section, after their return to the United States.

SEC. 4. And be it further enacted, That the Secretary of the Navy be, and he hereby is, authorized to retain, or to appoint under existing laws and regulations, such volunteer officers in the navy as the exigencies of the service may require.

SEC. 5. And be it further enacted, That lieutenant commanders may be assigned to duty as navigation and watch officers on board of vessels of war as well as first lieutenants of naval stations and of ships of war.

SEC. 6. And be it further enacted, That the annual compensation of the admiral of the navy shall be ten thousand dollars a year, and he shall be entitled to the services of a secretary, who shall receive the annual sea pay of a lieutenant in the navy.

SEC. 7. And be it further enacted, That naval constructors and first and second assistant engineers in the navy shall be appointed by the President and confirmed by the Senate, and shall have naval rank and pay as officers of the navy.

SEC. 8. And be it further enacted, That all acts and parts of acts inconsistent herewith are hereby repealed.

Approved, July 25, 1866.

CHAP. CCXXXII.—An Act to revive the Grade of General in the United States Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade of "general of the army of the United States" be, and the same is hereby, revived; and that the President is hereby authorized whenever he shall deem it expedient, to appoint, by and with the advice and consent of the Senate, a general of the army of the United States, to be selected from among those officers in the military service of the United States most distinguished for courage, skill, and ability, who, being commissioned as general, may be authorized, under the direction and during the pleasure of the President, to command the armies of the United States.

SEC. 2. And be it further enacted, That the pay proper of the general shall be four hundred dollars per month; and his allowances for fuel and quarters, when his headquarters are in Washington, shall be at the rate of three hundred dollars per month, and his other allowances in all respects the same as are allowed to the lieutenant general by the second section of the act approved February twenty-nine, eighteen hundred and sixty-four, entitled "An act reviving the grade of lieutenant general in the United States army"; and the chief of staff to the general general shall be transferred and be the chief of staff to the general, with the rank, pay, and emoluments of a brigadier-general in the army of the United States; and the act approved March third, eighteen hundred and sixty-five, entitled "An act to provide for a chief of staff to the lieutenant general commanding the armies of the United States," is hereby repealed, and the said general may select from the regular army for service upon his staff such number of aides, not exceeding six, as he may judge proper, who during the term of such staff service shall have the rank, pay, and emoluments of a colonel of cavalry. And it is hereby provided, that in lieu of the staff now allowed by law to the lieutenant general, he shall be entitled to two aides and one military secretary, each to have the rank, pay, and emoluments of a lieutenant colonel of cavalry, during the term of such staff service.

Approved, July 25, 1866.
July 26, 1866.  

CHAP. CCXXXIII — An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending the thirtieth June, eighteen hundred and sixty-seven, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-seven, namely:

For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, republic of Mexico, China, Italy, Chili, Peru, Switzerland, Rome, Belgium, Holland, Denmark, Sweden, Turkey, New Granada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentina Confederation, Paraguay, Japan, and Salvador, three hundred and eight thousand five hundred dollars.

For salaries of secretaries of legation, thirty thousand dollars.

For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.

For salary of the interpreter to the legation to China, five thousand dollars.

For salary of the secretaries of legation to Turkey, acting as interpreter, three thousand dollars.

For salary of the interpreter to the legation to Japan, acting as interpreter, three thousand dollars.

For salary of the interpreter to the legation to Japan, two thousand five hundred dollars.

For contingent expenses of all the missions abroad, fifty thousand dollars.

For contingent expenses of foreign intercourse, sixty-five thousand dollars.

For expenses of intercourse with the Barbary powers, three thousand dollars.

For expenses of the consulates in the Turkish dominions, namely: interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars.

For the relief and protection of American seamen in foreign countries, two hundred thousand dollars.

For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck, ten thousand dollars.

For the purchase of blank books, stationery, book cases, arms of the United States, seals, presses, and flags, and for the payment of postages, and miscellaneous expenses of the consuls of the United States, including loss by exchange, fifty thousand dollars.

For office rent for those consuls general, consuls, and commercial agents who are not allowed to trade, including loss by exchange thereon, forty-five thousand dollars.

For salaries of consuls general, consuls, commercial agents, and thirteen consular clerks, including loss by exchange thereon, namely:

I. CONSULATES GENERAL.

SCHEDULE B.

Alexandria, Calcutta, Constantinople, Frankfort-on-the-Main, Havana, Montreal, Shanghai.

II. CONSULATES.

SCHEDULE B.

Acapulco, Aix-la-Chapelle, Algiers, Amoy, Amsterdam, Antwerp, Aспиwall, Bankok, Basle, Belfast, Beirut, Buenos Ayres, Bordeaux, Bre-

III. COMMERCIAL AGENCIES.

SCHEDULE B.

Balize (Honduras), Madagascar, San Juan del Norte, Saint Domingo.

IV. CONSULATES.

SCHEDULE C.

Aux Cayes, Bahia, Batavia, Bay of Islands, Cape Haytien, Cape Town, Carthagena, Ceylon, Cobija, Cyprus, Falkland Islands, Payal, Guayaquil, Lanthala, Maranham, Matamoras, Mexico, Montevideo, Omoa, Payta, Para, Paso del Norte, Piraeus, Rio Grande, Sabanilla, Saint Catherine, Santa Cruz (West Indies), Santiago (Cape Verde), Stettin, Tabasco, Tahita, Talcahuano, Tumbez, Venice, Zanzibar.

V. COMMERCIAL AGENCIES.

SCHEDULE C.

Amoor River, Apia, Gaboon, Saint Paul de Loando [Loanda], four hundred and twenty-five thousand dollars: Provided, That the compensation of the consuls at Malta, Saint John (Canada East), Nice, Lisbon, Santa Cruz, Tampico, Prince Edward Island, Barcelona, Saint Catherine’s, in Brazil, and Nantes, is established at fifteen hundred dollars each annually, and the compensation of the consul at Hankow is established at three thousand dollars annually; and no money shall be paid to the present minister resident at Portugal out of any funds whatever on account of further services in his office.

For interpreters to the consulates in China, and to the consular court at Bankok, in Siam, including loss by exchange thereon, eight thousand three hundred dollars.

For expenses incurred under instructions from the Secretary of State, in bringing home from foreign countries persons charged with crime, and expenses incident thereto, twenty thousand dollars.

For salaries of the marshals for the consular courts in Japan, including that at Nagasaki, and in China, Siam, and Turkey, including loss by exchange thereon, ten thousand dollars.

For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same, nine thousand dollars.

For salaries of commissioners and consuls general to Hayti, Liberia, and Dominica, nineteen thousand dollars; and the title of these diplomatic representatives.
matic representatives shall be hereafter minister resident and consul general, with no increase of salary.

For expenses under the act of Congress to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade, seventeen thousand dollars.

For expenses under the act to encourage immigration, twenty thousand dollars.

For further compensation of the commissioner under the treaty between the United States and her Britannic Majesty for the final settlement of the claims of the Hudson's Bay and Puget Sound Agricultural Company, three thousand dollars in full for his services and personal expenses.

For expenses under the neutrality act, twenty thousand dollars.

For expenses of the commission to run and mark the boundary line between the United States and the British possessions bounding on Washington Territory, thirteen thousand one hundred and ten dollars.

For the payment of the second annual installment of the proportion contributed by the United States towards the capitalization of the Scheldt dues, to fulfill the stipulations contained in the fourth article of the convention between the United States and Belgium of the twentieth of May, eighteen hundred and sixty-three, the sum of fifty-five thousand five hundred and eighty-four dollars in coin, and such further sum as may be necessary to carry out the stipulation of the convention providing for payment of interest on the said sum and on the portion of the principal remaining unpaid.

For repairs of cemetery fences and sexton's house, belonging to the United States, in the city of Mexico, fifteen hundred dollars, to be expended under the direction of the President of the United States.

SEC. 2. And be it further enacted, That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a second assistant secretary of state in the Department of State, and also an examiner of claims for the same department, whose salary shall be three thousand dollars per annum; and the salary of the second assistant secretary of state shall be thirty-five hundred dollars per annum; and such sums are hereby appropriated.

SEC. 3. And be it further enacted, That all fees collected by any consul or commercial agent not mentioned in Schedule B or C, or by any vice-consul or commercial agent appointed to perform their duties, or by any other person in their behalf, shall be accounted for to Secretary of Treasury, 1856, ch. 127, § 18.

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Excess over $2000 a year above, &c. to be paid to Secretary of Treasury.

Salaries of envoys extraordinary and minister plenipotentiary.

APPROVED, July 25, 1866.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any engineer or pilot, licensed in pursuance of law by any inspector or board of inspectors, shall to the hindrance of commerce, wrongfully or unreasonably refuse to serve as such on any steam vessel, as authorized by the terms of his license, or shall fail to deliver to the applicant for such services, at the time of such an application, if the same shall be demanded, a statement in writing, signed by such engineer or pilot, of the reasons therefor, or if any pilot shall refuse to admit into the pilot-house with him any person or persons whom the captain or owners of any steamboat may desire to place there for the purpose of acquiring the knowledge of piloting, he shall forfeit and pay to the party aggrieved thereby the sum of three hundred dollars, to be recovered in an action of debt founded on this statute. And upon such recovery, as well as on such refusal to give such statement in writing, or to admit such persons into the pilot-house as aforesaid, his license shall be immediately revoked, upon the same proceedings as are provided by law in other cases of the revocation of such licenses.

SEC. 2. And be it further enacted, That when boilers are so arranged on a steamer that there is employed a water connecting-pipe through which the water may pass from one boiler to another, there shall also be provided a similar steam connection, having an area of opening into each boiler of at least one square inch for every two square feet of effective heating surface contained in any one of the boilers so connected, half the flue and all other surfaces being computed as effective. And no boiler shall hereafter be allowed, under any circumstances, a greater working pressure than one hundred and fifty pounds to the square inch.

SEC. 3. And be it further enacted, That one or more additional safety-valves, of such dimensions and arrangement as shall be prescribed by the board of supervising inspectors, shall be placed on the boilers of every steamer, and shall be loaded to a pressure not exceeding two pounds above the working steam pressure allowed, and shall be secured by the inspector against the interference of all persons engaged in the management of the vessel or her machinery. And the alloyed metals now required by law, to be placed in or upon the flues of boilers shall be fusible, as now required by law, and at a temperature not exceeding four hundred and forty-five degrees of the Fahrenheit thermometer; and a good and reliable water-gauge and a full set of gauge-cocks shall be provided for each boiler, whether connected or otherwise.

SEC. 4. And be it further enacted, That no steamboat boiler hereafter built, to which the heat is applied on the outside of the shell, shall be constructed of plates of more than three-tenths of an inch in thickness, the ends or heads of the boiler only excepted. And every steamboat boiler hereafter built, if employed on rivers flowing into the Gulf of Mexico, or their tributaries, shall have not less than three inches of clear space for water between and around its internal flues. And steamers hereafter built, which shall employ four or more boilers set in a battery, shall have the same divided in such a manner that one half, as nearly as may be, of the number of boilers employed will act independently of the other half, so far as relates to the water connection; but the steam from all the boilers may be connected as provided by this act.

SEC. 5. And be it further enacted, That cotton, hemp, hay, straw, or other easily ignitable commodity, shall not be carried on the decks or guards of any steamer carrying passengers, except on ferry-boats crossing rivers, and then only on the sterns of such boats, unless the same shall be protected by a complete and suitable covering of canvas or other proper material, to prevent ignition from sparks, under a penalty of one hundred dollars.
Coal oil or crude petroleum not to be so carried, unless, &c.

Barges carrying passengers in tow of a steamer.

Steamers used as freight boats to be subject to inspection, &c.

Penalty for certain persons attempting to act as steamboat inspectors.

All vessels, except, &c. to be subject to the navigation laws of the United States. Steam vessels, &c. to be subject to act of 1864, ch. 113, § 29.

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Seagoing steam vessels, when under way, except on high seas, to be under control of licensed pilots, except, &c.


Passenger vessels to have the life-boats required by law provided with suitable boat-disengaging apparatus.

Foremast-head light only on ocean-going steamers and those carrying sail.

1864, ch. 89, Vol. xii. p. 80.

Lights of river steamers navigating waters flowing into the Gulf of Mexico;

of coasting steamers, &c.

other than ferry-boats, &c.

Sec. 6. And be it further enacted, That barges carrying passengers while in tow of a steamer shall be subject to the provisions of the acts for the preservation of the lives of passengers, so far as relates to fire-buckets, axes, and life-preservers. For a violation of this section the penalty shall be one hundred dollars.

Sec. 7. And be it further enacted, That steamers used as freight boats shall be subject to the same inspection and requirements as provided for ferry, tug, and canal boats, by an act relating to steamboats; approved the eighth day of June, eighteen hundred and sixty-four, and to the provisions of this act.

Sec. 8. And be it further enacted, That if any person connected, as a member or otherwise, with any association of steamboat pilots, engineers, masters, or owners, shall accept or attempt to exercise the functions of the office of steamboat inspector, it shall be a misdemeanor, for which he shall forfeit his office, and shall be further subject to a penalty of five hundred dollars.

Sec. 9. And be it further enacted, That all vessels navigating the bays, inlets, rivers, harbors, and other waters of the United States, except vessels subject to the jurisdiction of a foreign power and engaged in foreign trade and not owned in whole or in part by a citizen of the United States, shall be subject to the navigation laws of the United States; and all vessels propelled in whole or in part by steam, and navigating as aforesaid, shall also be subject to all rules and regulations consistent therewith, established for the government of steam vessels in passing, as provided in the twenty-ninth section of an act relating to steam vessels; approved the thirtieth day of August, eighteen hundred and fifty-two.

And every seagoing steam vessel now subject or hereby made subject to the navigation laws of the United States, and to the rules and regulations aforesaid, shall, when under way, except upon the high seas, be under the control and direction of pilots licensed by the inspectors of steam vessels; vessels of other countries and public vessels of the United States only excepted.

Sec. 10. And be it further enacted, That all sea-going vessels carrying passengers, and those navigating any of the northern and northwestern lakes, shall have the life-boats required by law, provided with suitable boat-disengaging apparatus, so arranged as to allow such boats to be safely launched with their complements of passengers while such vessels are under speed or otherwise, and so as to allow such disengaging apparatus to be operated by one person disengaging both ends of the boat simultaneously from the tackles by which it may be lowered to the water.

Sec. 11. And be it further enacted, That the provision for a foremast-head light for steamships, in an act entitled "An act fixing certain rules and regulations for preventing collisions on the water," approved the twenty-ninth day of April, eighteen hundred and sixty-four, shall not be construed to apply to other than ocean-going steamers and steamers carrying sail. River steamers navigating waters flowing into the Gulf of Mexico shall carry the following lights, viz: one red light on the outboard side of the port smoke-pipe, and one green light on the outboard side of the starboard smoke-pipe; these lights to show both forward and aft, and also abeam on their respective sides. All coasting steamers, and those navigating bays, lakes, or other inland waters, other than ferry-boats, and those above provided for; shall carry the red and green lights, as prescribed for ocean-going steamers; and, in addition thereto, a central range of two white lights; the after light being carried at an elevation of at least fifteen feet above the light at the head of the vessel; the head
light to be so constructed as to show a good light through twenty points of the compass, namely, from right ahead to two points abaft the beam on either side of the vessel; and the after light to show all around the horizon.

SEC. 12. And be it further enacted, That the annual compensation paid to local inspectors of steamboats shall be hereafter as follows, to wit:

For the district of Portland, in Maine, three hundred dollars; for the district of Boston and Charlestown, in Massachusetts, one thousand dollars; for the district of New London, in Connecticut, five hundred dollars; for the district of New York, two at two thousand dollars each, two at fifteen hundred dollars each, and one additional inspector of boilers at fifteen hundred dollars; for the district of Philadelphia, in Pennsylvania, thirteen hundred dollars; for the district of Baltimore, in Maryland, twelve hundred dollars; for the district of Norfolk, in Virginia, three hundred dollars; for the district of Charleston, in South Carolina, five hundred dollars; for the district of Savannah, in Georgia, four hundred dollars; for the district of Mobile, in Alabama, one thousand dollars; for the district of New Orleans, or in which New Orleans is the port of entry, Louisiana, two thousand dollars; for the district of Galveston, in Texas, four hundred dollars; for the district of St. Louis, in Missouri, sixteen hundred dollars; for the district of Louisville, in Kentucky, twelve hundred dollars; for the district of Cincinnati, in Ohio, sixteen hundred dollars; for the district of Wheeling, West Virginia, five hundred dollars; for the district of Pittsburg, Pennsylvania, eighteen hundred dollars; for the district of Chicago, Illinois, eight hundred dollars; for the district of Detroit, Michigan, one thousand dollars; for the district of Cleveland, Ohio, six hundred dollars; for the district of Buffalo, New York, twelve hundred dollars; for the district of Oswego, or of which Oswego is the port of entry, New York, three hundred dollars; for the district of Vermont, of which Burlington is the port of entry, three hundred dollars; for the district of San Francisco, California, fifteen hundred dollars; for the district of Memphis, Tennessee, nine hundred dollars; for the district of Galena, Illinois, one thousand dollars; for the district of Portland, Oregon, seven hundred dollars; to the supervising inspector of the Pacific coast, two thousand five hundred dollars; to other supervising inspectors, two thousand dollars each.

SEC. 13. And be it further enacted, That there shall be appointed, under the direction of the Secretary of the Treasury, one clerk each in the local offices at New York and New Orleans, and the annual compensation allowed to these clerks shall be seven hundred and fifty dollars each.

SEC. 14. And be it further enacted, That the Secretary of the Treasury may procure, for the supervising and local inspectors of steamboats, such stationery, printing, instruments, and other things necessary for the use of their respective offices, as may be required therefor; and shall make such rules and regulations as may be necessary to secure the proper execution of the steamboat acts; and may from time to time cause special examinations to be made into the administration of the inspection laws.

SEC. 15. And be it further enacted, That supervising, and local, and assistant inspectors of steamboats shall execute proper bonds, in such form and upon such conditions as the Secretary of the Treasury may prescribe, and subject to his approval, conditioned for the faithful performance of the duties of their respective offices, and the payment, in the manner provided by law, of all moneys that may be received by them.

SEC. 16. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED, July 25, 1866.
CHAP. CCXXXV.—An Act increasing the Pensions of Widows and Orphans, and for other Purposes

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the pension laws are hereby extended to and made to include provost marshals, deputy provost marshals, and enrolling officers, who have been killed or wounded in the discharge of their duties; and for the purpose of determining the amount of pension to which such persons and their dependents shall be entitled, provost marshals shall be ranked as captains, deputy provost marshals as first lieutenants, and enrolling officers as second lieutenants.

Sec. 2. And be it further enacted, That the pensions to widows of deceased soldiers and sailors, having children by such deceased soldiers or sailors, be increased at the rate of two dollars per month for each child of such soldier or sailor under the age of sixteen years. And in all cases in which there shall be more than one child of any deceased soldier or sailor leaving no widow, or where his widow has died or married again, or where she has been deprived of her pension under the provisions of section eleven of an act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six, the pension granted to such children under sixteen years of age by existing laws shall be increased to the same amount per month that would be allowed under the foregoing provisions to the widow if living and entitled to a pension: Provided, That in no case shall more than one pension be allowed to the same person.

Sec. 3. And be it further enacted, That the provisions of an act entitled "An act to grant pensions," approved July fourteen, eighteen hundred and sixty-two, and of the acts supplementary thereto and amendatory thereof, are hereby, so far as applicable, extended to the pensions under previous laws, except revolutionary pensioners.

Sec. 4. And be it further enacted, That if any person during the pendency of his application for an invalid pension, and after the completion of the proof showing his right thereto, has died, or shall hereafter die, but not in either case by reason of a wound received, or disease contracted in the service of the United States and in the line of duty, his widow, or if he left no widow, or in the event of her death or marriage, his relatives in the same order in which they would have received a pension, if they had been thereunto entitled under existing laws on account of the services and death in the line of duty of such person, shall have the right to demand and receive the accrued pension to which he would have been entitled had the certificate issued before his death; and in all cases where such person so entitled to an invalid pension has died, or shall hereafter die, without leaving a widow or such relatives, then such accrued pension shall be paid to the executor or administrator of such person in like manner and effect as if such pension were so much assets belonging to the estate of the deceased at the time of his death.

Sec. 5. And be it further enacted, That the repeal by the act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six, of parts of certain acts mentioned in the first section of said act, shall not work a forfeiture of any rights accrued under or granted by such parts of such acts so repealed; but such rights shall be recognized and allowed in the same manner and to all intents and purposes as if said act had never passed, except that the invalid pensioner shall be entitled to draw from and after the taking effect of said act the increased pension thereby granted in lieu of that granted by such parts of such acts so repealed.
SEC. 6. And be it further enacted, That nothing in the fourth section of an act entitled "An act supplementary to the several acts relating to pensions," approved March third, eighteen hundred and sixty-five, or in any other supplementary or amendatory act relating to pensions, shall be so construed as to impair the right of a widow whose claim for a pension was pending at the date of her re-marriage, to the pension to which she would otherwise be entitled, had her deceased husband left no minor child or children under the age of sixteen years.

APPROVED, July 25, 1866.

CHAP. CCXXXVI.—An Act authorizing the Construction of a Jail in and for the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized to select a suitable place on some of the public grounds belonging to the government in the city of Washington, in the District of Columbia, for and construct thereon, upon such plan as he may select, a jail of sufficient capacity to provide for not less than three hundred prisoners, with suitable yards, hospitals, and so forth, the entire cost of which shall not exceed the sum of two hundred thousand dollars.

SEC. 2. And be it further enacted, That as soon as said site, and the Architect shall be so selected and agreed upon, the said Secretary of the Interior shall employ an architect and have prepared a design for said building, and plans descriptive thereof, with complete specifications of the work required and the materials to be used, and shall publish notice of a public letting of the contract for the building of the same, at least thirty days before the letting, in the principal newspapers in New York city, Boston, Philadelphia, Cincinnati, Baltimore, and Washington, which notice shall direct a place where such specifications can be seen, and a time at which the contract is to be let, and the said Secretary shall let said contract to the lowest responsible bidder, and the contractor therefor shall enter into sufficient bond for the faithful completion of the said contract to the approval of the Secretary.

SEC. 3. And be it further enacted, That the said Secretary shall pay to the contractor or contractors instalments on the contract price as the work progresses, to be certified to by the architect having the direction thereof, but twenty per centum of the estimates shall be retained until the completion of the contract.

SEC. 4. And be it further enacted, That there be, and is hereby, appointed, [appropriated,] for the purposes aforesaid, out of any money in the treasury not otherwise appropriated, the sum of two hundred thousand dollars, to be drawn on the order of said Secretary of the Interior.

SEC. 5. And be it further enacted, That the Secretary of the Interior be, and is hereby, authorized to sell at public sale, on proper notice thereof, the materials of the old jail, now located in Judiciary Square, and the proceeds thereof to be paid into the treasury of the United States.

SEC. 6. And be it further enacted, That for the purpose of reimbursing the United States for a part of the cost of said jail, it shall be the duty of the proper authorities of the city of Washington, and they are hereby required, to raise, by tax or otherwise, and pay into the treasury of the United States, at or before the time of the completion of said jail, the sum of seventy thousand dollars. And it shall be the like duty of the proper authorities of the city of Georgetown, and they are hereby required, to raise, by tax or otherwise, and pay into the treasury of the United States, at or before the completion of said jail, the sum of twenty thousand dollars. And it shall be the like duty of the proper authorities of the county of Washington or said District, and they are hereby required,

APPROVED, July 25, 1866.

City of Washington to pay $70,000 in part for jail.

Georgetown to pay $20,000.

County of Washington to pay $10,000.
to raise, by tax or otherwise, and pay into the treasury of the United States at or before the period aforesaid, the sum of ten thousand dollars, which said several sums shall be deemed the fair proportion of the cost of said jail of each of said cities and said county of Washington; and the said cities and county authorities, respectively, are hereby authorized and required to assess and levy upon the taxable property of said cities and said county of Washington a tax sufficient to raise the amount so by each city and said county required to be paid as aforesaid.

SEC. 7. And be it further enacted, That upon the default of payment of the sums aforesaid into the treasury of the United States at the time before stated, made by either of said cities or by said county of Washington, the said Secretary of the Interior shall appoint a collector for any such delinquent city or county as shall have failed to make its payments as aforesaid, and it shall be the duty of said collector to proceed with the collection of the taxes as assessed, in such manner and form as shall be prescribed by the Secretary of the Interior; or if either of said cities or said county of Washington shall neglect, fail, or refuse to assess such tax, the Secretary of the Interior is hereby authorized and empowered to make such levy and proceed to its collection as aforesaid.

APPROVED, July 25, 1866.

July 25, 1866

CHAP. CCXXXVII.—An Act to annul the thirty-fourth Section of the Declaration of Rights of the State of Maryland, so far as it applies to the District of Columbia.

The 34th section of the Declaration of Rights of the State of Maryland, prohibiting certain sales, gifts, and devises, is hereby annulled and that all such sales, gifts, and devises prohibited by the said section, or by any law passed in accordance therewith, shall be, when hereafter made, valid and effectual: Provided, That, in case of gifts and devises, the same shall be made at least one calendar month before the death of the donor or testator.

APPROVED, July 25, 1866.

July 25, 1866

CHAP. CCXXXVIII.—An Act to establish in the District of Columbia a House of Correction for Boys.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the District of Columbia, on the tract of land known as the government farm, a fit and convenient house of correction, suitably and efficiently ventilated, with convenient yards, workshops, and other suitable accommodations adjoining or appurtenant thereto, for the safe keeping, correction, governing, and employing of offenders legally committed thereto by authority of the courts and magistrates of the District of Columbia: Provided, That the building already erected on that land for the purpose of establishing a similar institution, together with all the other property there' collected for the same purpose, shall be transferred to the trustees appointed according to the provisions of this act, at a cost not exceeding one thousand five hundred dollars.

SEC. 2. And be it further enacted, That the government of said institution shall be vested in a board of seven trustees, to be appointed and commissioned by the President of the United States, one of whom shall be nominated for appointment by the mayor of Washington, one by the mayor of Georgetown, one by the levy court of the county of Washington, and four by the Secretary of the Interior; and no trustee shall receive compensation for his services, but each trustee shall be allowed the
amount of expenses necessarily incurred in the discharge of the duties of
his office. The term of office of the said trustees shall be three years;
but on the first appointment of the board of trustees two of the members
shall be appointed for one year, two for two years, and three for three
years, to be determined by the President.

SEC. [3.] And be it further enacted, That the said board of trustees
shall be a corporation, by the name of the Trustees of the house of cor-
rection for the District of Columbia, for the purpose of taking and hold-
ing, in trust, whatever property may be conveyed, devised, donated, or
bequeathed for the benefit of said institution, with all the power necessary
to carry this purpose into effect.

SEC. 4. And be it further enacted, That it shall be the duty of the
said board of trustees to take charge of the general interests of the insti-
tution; they may appoint a superintendent, a steward, a teacher or teach-
ers, and such other officers as may be found necessary, and may be ap-
proved by the Secretary of the Interior; they may fix the salaries of said
officers, subject to the approval of the Secretary of the Interior; they may
prepare such by-laws as may be necessary to regulate and direct the man-
agement of the institution, which, however, shall not be valid until ap-
proved by the Secretary of the Interior; and to exercise a vigilant super-
vision over the institution, its officers, and its inmates.

SEC. 5. And be it further enacted, That before entering upon the duties
of his office the superintendent shall give a bond to the trustees, with
sureties to be approved by the board of trustees and by the Secretary of
the Interior, in the sum of three thousand dollars, conditioned that he
shall faithfully account for all money received by him, and faithfully per-
form all the duties incumbent on him as superintendent of said house of
correction.

SEC. 6. And be it further enacted, That a treasurer of the institution
shall be appointed by the board of trustees, subject to the approval of the
Secretary of the Interior, who shall, before entering upon the duties of
his office, give a bond to the trustees, with sureties to be approved by the
board of trustees and by the Secretary of the Interior, in the sum of five
thousand dollars, conditioned that he shall faithfully account for all the
money received by him as treasurer; and it shall be his duty to keep a
clear and full record of his accounts as treasurer, and report an abstract
of the same to the chairman of the board of trustees once in every two
months.

SEC. 7. And be it further enacted, That, as soon after their appoint-
ment as possible, the board of trustees shall take measures to have the
land and building designated suitably prepared for the use of said house
of correction; and, as soon as the buildings and premises are prepared
for occupancy, the trustees shall give notice to the proper authorities and
courts of the cities of Washington and Georgetown, and of the county
of Washington, that the house of correction is ready to receive inmates.

SEC. 8. And be it further enacted, That when any boy under the age
of fourteen years is found guilty in a court in the District of Columbia
of any crime punishable by imprisonment other than imprisonment for
life, he shall be committed to the said house of correction, and there held
in custody of the superintendent for the term of his sentence; and when
any boy over fourteen and under sixteen years of age shall be found
guilty in a court of the District of Columbia of any crime punishable by
imprisonment other than imprisonment for life, it shall be the duty of the
court trying the case to consider carefully and decide whether he is or is
not a fit subject for the house of correction, and make its sentence ac-
cord with its decision of this question.

SEC. 9. And be it further enacted, That the superintendent shall reside
at the institution constantly, and that he, with such subordinate officers as
may be appointed in accordance with the fourth section of this act, shall
have the charge and custody of the boys; shall govern them in accordance with such rules and regulations as the board of trustees may prescribe in its by-laws; shall employ them in agricultural, mechanical, or other labor; shall give them instruction in reading, writing, arithmetic, geography, and such other studies, and in such arts and trades as the trustees may direct; and shall employ such methods of discipline as will, as far as possible, reform their characters, preserve their health, promote regular improvement in their studies, trades, and employments, and secure in them fixed habits of religion, morality, and industry.

SEC. 10. And be it further enacted, That the superintendent shall have charge of the lands, buildings, furniture, tools, implements, stock, provisions, and every other species of property pertaining to the institution, within the precincts thereof; and he shall keep, in suitable books, regular and complete accounts of all his receipts and expenditures, and of all the property intrusted to him, so as to show clearly the income and expenses of the institution; and he shall account to the treasurer, in such manner as the trustees may prescribe, for all the money received by him from the proceeds of the institution or otherwise; and he shall keep a register of the names and ages of all boys committed to the institution, with the dates of their admission and discharge, and such particulars of their history before and after leaving the institution as he can obtain. His books and all documents relating to the house of correction shall at all times be open to the inspection of the trustees, who shall once or more in every three months carefully examine his accounts and the vouchers and documents connected therewith, and make a record of the result of such examination.

SEC. 11. And be it further enacted, That all contracts on account of the institution shall be made by the superintendent, and, when approved by the trustees, if their by-laws shall require their approval, shall be binding in law, and the superintendent, or his successor, may sue or be sued thereon to final judgment and execution; and no suit shall abate by reason of the office of superintendent becoming vacant during the pendency of such suit, but any successor in the office shall assume the prosecution or defence of any pending suit, and continue the prosecution or defence until such suit shall be concluded.

SEC. 12. And be it further enacted, That one or more of the trustees shall visit the said house of correction, once, at least, in every two weeks, at which time the condition of the same shall be carefully examined and the register inspected; a record of the visits shall be kept in the books of the superintendent; once in every three months the institution shall be thoroughly examined in all its departments by not less than three of the trustees, and a report of such examinations shall be made to the board; and an abstract of the reports, together with full annual reports of the superintendent and the treasurer, shall be presented to the Secretary of the Interior on or before the fifteenth day of November in each year.

SEC. 13. And be it further enacted, That when a boy shall be committed to the said house of correction, the city in which he had his residence at the time of such commitment, or, if his residence was within the county of Washington, and not within the city of Washington, or the city of Georgetown, then the county of Washington shall pay to the treasurer of the house of correction fifty cents a week while he remains therein; the payment shall be made quarterly on the first days of January, April, July, and October; and any sum so paid may be recovered by such city or county of any parent, kindred, or guardian, liable by law to maintain him.

SEC. 14. And be it further enacted, That for the purpose of securing a transfer of the building and other property to the trustees, preparing the premises and building for occupancy, and for the payment of other neces-
sary expenses, there is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of twelve thousand dollars, to be paid only on the order of the Secretary of the Interior: Provided, That six thousand dollars of said appropriation is hereby declared to be the sum that shall be assessed and paid by the cities of Washington and Georgetown, and the county of Washington; and it shall be the duty of the proper authorities of the city of Washington to raise, by tax or other- wise, and pay into the treasury of the United States, at or before the time when the premises shall be ready for occupancy by the house of correction, the sum of four thousand five hundred dollars; and it shall be the duty of the proper authorities of the city of Georgetown to raise and pay in like manner the sum of one thousand dollars; and it shall be the duty of the proper authorities of the county of Washington to raise and pay in like manner the sum of five hundred dollars; and in case of defaul t of such payment into the treasury of the United States by either of said cities or by the said county of Washington, the party so making default shall be liable to summary proceedings before the supreme court of the District of Columbia, at the instance of the United States attorney for said District, to enforce the same, with interest thereon after the date of default.

Sec. 15. And be it further enacted, That this act shall take effect from the date of its passage.

APPROVED, July 25, 1866.

CHAP. CCXXXIX.—An Act to incorporate "The Soldiers' and Sailors' Union" of Washington, D. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That H. A. Hall, W. C. Porter, Will A. Short, James Cross, J. H. Nightingale, D. S. Curtiss, L. Edwin Dudley, G. M. Van Buren, Wm. S. Morse, Lawrence Wilson, Wm. L. Bramhall, F. E. Drake, B. P. Cutter, W. H. H. Bates, H. N. Rothery, S. G. Merrill, Chas. A. Appel, O. A. Lukenbaugh, J. S. Firma n, John H. Simpson, George W. De Costa, L. J. Bryant, J. H. Gray, Lyman S. Emery, and A. I. Bennett, and their successors in office, be, and they are hereby, incorporated and made a body politic and corporate, by the name of the "Soldiers' and Sailors' Union of the City of Washington, D. C.," and by that name may sue and be sued, plead and be impleaded in any court of law or equity, and may have and use a common seal, and exercise the powers, rights, and privileges incident to such corporations.

Sec. 2. And be it further enacted, That the said corporation shall be capable of acquiring, receiving, holding, and conveying real and personal estate, not exceeding two hundred thousand dollars in value; which estate shall never be divided among the members of the corporation, but shall descend to their successors for the promotion of the interests and general welfare of the soldiers and sailors of this corporation, who have served in the Union army or navy during the late war for the suppression of the rebellion, and the relief and protection of their widows and orphans.

Sec. 3. And be it further enacted, That this corporation shall have power to alter and amend its constitution and by-laws: Provided, That they do not conflict with the laws of the United States or the laws of the corporation of the city of Washington, D. C.

Sec. 4. And be it further enacted, That said corporation shall not exercise banking privileges, or issue or put in circulation any bank note, paper, token, scrip, or device, to be used as currency.

Sec. 5. And be it further enacted, That Congress reserves the right to alter or repeal this act at any time.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCXL—An Act legalizing Marriages and for other Purposes in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all colored persons in the District of Columbia, who, previous to their actual emancipation, had undertaken and agreed to occupy the relation to each other of husband and wife, and are cohabiting together as such or in any way recognizing the relation as still existing at the time of the passage of this act, whether the rites of marriage have been celebrated between them or not, shall be deemed husband and wife, and be entitled to all the rights and privileges, and subject to the duties and obligations of that relation in like manner as if they had been duly married according to law, and all their children shall be deemed legitimate, whether born before or after the passage of this act. And when the parties have ceased to cohabit before the passage of this act, in consequence of the death of the woman, or from any other cause, all the children of the woman recognized by the man to be his shall be deemed legitimate.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCXL—An Act granting Lands to the State of Kansas to aid in the Construction of the Kansas and Neosho Valley Railroad and its Extension to Red River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of aiding the Kansas and Neosho Valley Railroad Company, the same being a corporation organized under the laws of the State of Kansas, to construct and operate a railroad from the eastern terminus of the Union Pacific Railroad, eastern division, at the line between Kansas and Missouri, at the mouth of the Kansas River, on the south side thereof, southwardly, through the eastern tier of counties in Kansas, with a view of its extension, so as to effect a junction at Red River with a railroad now being constructed from Galveston to Red River at or near Preston, in Texas, there is hereby granted to the State of Kansas, for the use and benefit of said railroad company, every alternate section of land or parts thereof, designated by odd numbers, to the extent of ten sections per mile on each side of said road, to be selected within twenty miles of the line of said road; but in case it shall appear that the United States have, when the line of said road is definitely located, sold any section, or any part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected for the purposes aforesaid, from the public lands of the United States nearest to the sections above specified, so much land as shall be equal to the amount of such lands as the United States have sold, reserved, or otherwise appropriated, or to which the right of homestead settlement or pre-emption has attached as aforesaid, which lands, thus indicated by the direction of the Secretary of the Interior, shall be reserved and held for the use of said company by the said Secretary for the purpose of the construction and operation of said railroad, as provided by this act: Provided, That any and all lands previously reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement or other purpose whatever, be, and the same are hereby reserved and excepted from operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands, in which case the right of way two hundred feet in width is hereby granted, subject to the approval of the President of the United States: And provided, further, That none of the lands hereby granted shall be selected beyond twenty miles from the said road.
SEC. 2. And be it further enacted, That the sections and parts of sections of land which by the aforesaid grant shall remain in the United States, within ten miles on each side of said road, shall not be sold for less than double the minimum price of public lands when sold, nor shall any of said lands become subject to sale at private entry until the same shall have been first offered at public sale to the highest bidder, at or above the minimum price aforesaid: Provided, That actual bona fide settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation, as now provided by law, purchase the same at the price fixed for said lands at the date of such settlement, improvement, and occupation: And provided also, That settlers under the provisions of the homestead act, who make their settlement after the passage of this act, and comply with the terms and requirements of said act, shall be entitled, within the said limits of ten miles, to patents for an amount not exceeding eighty acres each.

SEC. 3. And be it further enacted, That the grant of lands hereby made is upon condition that said company, after the construction of its road, shall keep it in repair and use, and that [it will] at all times be in readiness to transport troops, munitions of war, supplies, and public stores upon its road for the government, when required to do so by any department thereof; at the cost, charge, and expense of said company. And the lands hereby granted, held, and reserved as aforesaid shall inure to the benefit of said company, as follows: When the governor of the State of Kansas shall certify that any section of ten consecutive miles of said road is completed in a good, substantial, and workmanlike manner as a first-class railroad, then the said Secretary of the Interior shall issue to the said company patents for so many sections of the land within the limits above named as are coterminous with said completed section hereinbefore granted; and when certificates of the governor aforesaid shall be presented to said Secretary, of the completion, as aforesaid, of each successive section of ten consecutive miles of said road, the said Secretary shall in like manner issue to said company patents for the land for each of said sections of road as in the first instance, until said road shall be completed: Provided, That if said road is not completed within ten years from the date of the acceptance of the grant hereinbefore made, the lands remaining unpatented shall revert to the United States: And provided further, That the said lands shall not, in any manner, be disposed of or incumbered by said company or its assigns, except as the same are patented under the provisions of this act.

SEC. 4. And be it further enacted, That as soon as said company shall file with the Secretary of the Interior maps of its line, designating the route thereof, it shall be the duty of the said Secretary to withdraw from the market the lands granted by this act, in such manner as may be best calculated to effect the purposes of this act and subserve the public interest.

SEC. 5. And be it further enacted, That the United States mail shall be transported on said road and its extension, under the direction of the Post Office Department, at such price as Congress may by law provide: Provided, That until such price is fixed by law the Postmaster-General shall have power to fix the compensation.

SEC. 6. And be it further enacted, That the right of way through the public lands be, and the same is hereby, granted to said Kansas and Neosho Valley Railroad Company, its successors and assigns, for the construction of a railroad as proposed; and the right is hereby given to said corporation to take from the public lands adjacent to the line of said road material for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also all necessary ground for station buildings, workshops, depots, machine-shops, switches, side tracks, turn-tables, and water-stations.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 241. 1866.

Acceptance of this grant by the railroad company to be in writing, to be made within a year.

Said railroad company may extend its road to Red River.

Right of way granted through the Indian Territory where such right is reserved to the United States, where such right is not reserved.

Grant of lands through the Indian Territory made to the road, when the Indian title is extinguished. The company may negotiate with Indians and others for lands.

Certain other railroads may unite with this road, after it is located to the valley of the Neosho River.

Tariff for freight and passengers.

If the Union Pacific Railroad Company, &c completes its road to certain point before the Kansas, &c. Co. completes its road to that point, it may construct the road thence to

SEC. 7. And be it further enacted, That the acceptance of the terms, conditions, and impositions of this act by the said Kansa, and Neosho Valley Railroad Company shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within one year after the passage of this act, and not afterwards, and shall be deposited with the Secretary of the Interior.

SEC. 8. And be it further enacted, That said Kansas and Neosho Valley Railroad Company, its successors and assigns, is hereby authorized and empowered to extend and construct its railroad from the southern boundary of Kansas south, through the Indian Territory, to Red River, at or near Preston, in the State of Texas, so as to connect with the railway now being constructed from Galveston to a point at or near Preston, in said State; and the right of way through the Indian Territory, wherever such right is now reserved or may hereafter be reserved to the United States by treaty with the Indian tribes, is hereby granted to said company, to the same extent as granted by the sixth section of this act through the public lands; and in all cases where the right of way, as aforesaid, through the Indian lands, shall not be reserved to the government, the said company shall, before constructing its road, procure the consent of the tribe or tribes interested, which consent, with all its terms and conditions, shall be previously approved and indorsed by the President and filed with the Secretary of the Interior.

SEC. 9. And be it further enacted, That the same grants of lands through said Indian Territory are hereby made as provided in the first section of this act, whenever the Indian title shall be extinguished by treaty or otherwise, not to exceed the ratio per mile granted in the first section of this act: Provided, That said lands become a part of the public lands of the United States.

SEC. 10. And be it further enacted, That said Kansas and Neosho Valley Railroad Company, its successors and assigns, shall have the right to negotiate with, and acquire from any Indian nation or tribe, authorized by the United States to dispose of lands for railroad purposes, and from any other nation or tribe of Indians through whose lands said railroad may pass, subject to the approval of the President of the United States, or from any company or parties incorporated or authorized for such purposes, by such nation or tribe, or which such parties may have acquired under the laws of the United States.

SEC. 11. And be it further enacted, That any railroad company chartered under any law of the United States, or of the State of Kansas, which may have been heretofore or shall hereafter be recognized and subsidized by any act of the Congress of the United States, may connect, unite, and consolidate with this railroad company, after the same shall be located to the valley of the Neosho River, upon just, fair, and equitable terms, to be agreed upon between the parties, and shall not be against the public interest or the interest of the United States; nor shall any road authorized to connect as aforesaid charge the road so connecting a greater tariff per mile for freight or passengers than is charged for the same per mile by its own road: And provided further, That should the Leavenworth, Lawrence, and Fort Gibson Railroad Company, or the Union Pacific Railroad Company, southern branch, construct and complete its road to that point on the southern boundary of the State of Kansas where the line of said Kansas and Neosho Valley Railroad shall cross the same, before the said Kansas and Neosho Valley Railroad Company shall have constructed and completed its said road to said point, then and in that event the company so first reaching in completion the said point on the southern boundary of the State of Kansas shall be authorized, upon obtaining the written approval of the President of the United States, to construct and operate its line of railroad from said point to a point at
or near Preston, in the State of Texas, with grants of land according to the provisions of this act, but upon the further special condition, nevertheless, that said railroad company shall have commenced in good faith the construction thereof before the said Kansas and Neosho Valley Railroad Company shall have completed its said railroad to said point: And provided further, That said other railroad company, so having commenced said work in good faith, shall continue to prosecute the same with sufficient energy to insure the completion of the same within a reasonable time, subject to the approval of the President of the United States: And provided further, That the right of way through private property when not otherwise provided for in this act, or by the law of any State through which the road may pass, shall be obtained by said Kansas and Neosho Valley Railroad Company, or either of the other companies named in this act, in accordance with the provisions of section three of an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July first, eighteen hundred and sixty-two.

APPROVED, July 25, 1866.

CHAP. CCXLII — An Act granting Lands to aid in the Construction of a Railroad and Telegraph Line from the Central Pacific Railroad, in California, to Portland, in Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "California and Oregon Railroad Company," organized under an act of the State of California, to protect certain parties in and to a railroad survey, "to connect Portland, in Oregon, with Marysville, in California," approved April sixth, eighteen hundred and sixty-three, and such company organized under the laws of Oregon as the legislature of said State shall hereafter designate, be, and they are hereby, authorized and empowered to lay out, locate, construct, finish, and maintain a railroad and telegraph line between the city of Portland, in Oregon, and the Central Pacific Railroad, in California, in the manner following, to wit: The said California and Oregon Railroad Company to construct that part of the said railroad and telegraph within the State of California, beginning at some point (to be selected by said company) on the Central Pacific Railroad in the Sacramento valley, in the State of California, and running thence northerly, through the Sacramento and Shasta valleys, to the northern boundary of the State of California; and the said Oregon company to construct that part of the said railroad and telegraph line within the State of Oregon, beginning at the city of Portland, in Oregon, and running thence southerly through the Willamette, Umpqua, and Rogue River valleys to the southern boundary of Oregon, where the same shall connect with the part aforesaid to be made by the first-named company: Provided, That the company completing its respective part of the said railroad and telegraph from either of the termini herein named to the line between California and Oregon before the other company shall have likewise arrived at the same line, shall have the right, and the said company is hereby authorized, to continue in constructing the same beyond the line aforesaid, with the consent of the State in which the unfinished part may lie, upon the terms mentioned in this act, until the said parts shall meet and connect, and the whole line of said railroad and telegraph shall be completed.

SEC. 2. And be further enacted, That there be, and hereby is, granted to the said companies, their successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores over the line of said railroad, every alternate section of land, &c., in the State of Oregon, with grants of land, &c.

The company first completing its part, may continue its road with consent of State.
If any sections of land have been sold, or are occupied, other lands may be selected in lieu thereof.

When maps of survey are filed, lands to be withdrawn from sale.

Lands granted to be applied to building road in the States where they lie.

Remaining lands to be sold for what price.

Settlers under pre-emption laws may purchase at what price.

Under homestead act may not have over eighty acres.

Right of way through public lands granted to said companies.

Materials for construction from adjacent lands.

Extent of right of way.

Lands for stations, &c.

When and how patents for these granted lands shall issue to said companies.

Conditions of grants.

If any sections of land have been sold, or are occupied, other lands may be selected in lieu thereof.

When maps of survey are filed, lands to be withdrawn from sale.

Lands granted to be applied to building road in the States where they lie.

Remaining lands to be sold for what price.

Settlers under pre-emption laws may purchase at what price.

Under homestead act may not have over eighty acres.

Right of way through public lands granted to said companies.

Materials for construction from adjacent lands.

Extent of right of way.

Lands for stations, &c.

When and how patents for these granted lands shall issue to said companies.

Conditions of grants.
telegraph in repair and use, and shall at all times transport the mails upon said railroad, and transmit despatches by said telegraph line for the government of the United States, when required so to do by any department thereof; and that the government shall at all times have the preference in the use of said railroad and telegraph therefor at fair and reasonable rates of compensation, not to exceed the rates paid by private parties for the same kind of service. And said railroad shall be and remain a public highway for the use of the government of the United States, free of all toll or other charges upon the transportation of the property or troops of the United States; and the same shall be transported over said road at the cost, charge, and expense of the corporations or companies owning or operating the same, when so required by the government of the United States.

Sec. 6. And be it further enacted, That the said companies shall file their assent to this act in the Department of the Interior within one year after the passage hereof, and shall complete the first section of twenty miles of said railroad and telegraph within two years, and at least twenty miles in each year thereafter, and the whole on or before the first day of July, one thousand eight hundred and seventy-five; and the said railroad shall be of the same gauge as the "Central Pacific Railroad" of California, and be connected therewith.

Sec. 7. And be it further enacted, That the said companies named in this act are hereby required to operate and use the portions or parts of said railroad and telegraph mentioned in section one of this act for all purposes of transportation, travel, and communication, so far as the government and public are concerned, as one connected and continuous line, and in such operation and use to afford and secure to each other equal advantages and facilities as to rates, time, and transportation, without any discrimination whatever, on pain of forfeiting the full amount of damage sustained on account of such discrimination, to be sued for and recovered in any court of the United States, or of any State, of competent jurisdiction.

Sec. 8. And be it further enacted, That in case the said companies shall fail to comply with the terms and conditions required, namely, by not filing their assent thereto as provided in section six of this act, or by not completing the same as provided in said section, this act shall be null and void, and all the lands not conveyed by patent to said company or companies, as the case may be, at the date of any such failure, shall revert to the United States. And in case the said road and telegraph line shall not be kept in repair and fit for use, after the same shall have been completed, Congress may pass an act to put the same in repair and use, and may direct the income of said railroad and telegraph line to be thereafter devoted to the United States, to repay all expenditures caused by the default and neglect of said companies or either of them, as the case may be, or may fix pecuniary responsibility, not exceeding the value of the lands granted by this act.

Sec. 9. And be it further enacted, That the said "California and Oregon Railroad Company" and the said "Oregon Company" shall be governed by the provisions of the general railroad and telegraph laws of their respective States, as to the construction and management of the said railroad and telegraph line hereinafter authorized, in all matters not provided for in this act. Wherever the word "company" or "companies" is used in this act it shall be construed to embrace the words "their associates, successors, and assigns," the same as if the words had been inserted, or thereto annexed.

Sec. 10. And be it further enacted, That all mineral lands shall be excepted from the operation of this act; but where the same shall contain timber, so much of the timber thereon as shall be required to construct said road over such mineral land is hereby granted to said companies: Provided, That the term "mineral lands" shall not include lands containing coal and iron.
Companies to obtain consent of States, where road and telegraph line do not pass through public lands.

Act may be amended, &c.

SEC. 11. And be it further enacted, That the said companies named in this act shall obtain the consent of the legislatures of their respective States, and be governed by the statutory regulations thereof in all matters pertaining to the right of way, wherever the said road and telegraph line shall not pass over or through the public lands of the United States.

SEC. 12. And be it further enacted, That Congress may at any time, having due regard for the rights of said California and Oregon railroad companies, add to, alter, amend, or repeal this act.

Approved, July 25, 1866.

July 25, 1866.

CHAP. CCXLIII.—An Act to change the Place of holding Court in the Northern District of Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court for the northern district of Georgia shall hereafter be held at Atlanta, instead of Marietta; and the clerk of said northern district is hereby required to remove all the books, papers, and records belonging to his office from Marietta to Atlanta.

Process.

SEC. 2. And be it further enacted, That all process made returnable to the court heretofore held at Marietta shall be taken and considered returnable to the court at Atlanta.

Approved, July 25, 1866.

July 25, 1866.

CHAP. CCXLIV.—An Act granting to A. Sutro the Right of Way, and granting other Privileges to aid in the Construction of a Draining and Exploring Tunnel to the Comstock Lode, in the State of Nevada.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the construction of a deep draining and exploring tunnel to and beyond the "Comstock lode," so called, in the State of Nevada, the right of way is hereby granted to A. Sutro, his heirs and assigns, to run, construct, and excavate a mining, draining, and exploring tunnel; also to sink mining, working, or air shafts along the line or course of said tunnel, and connecting with the same at any point which may hereafter be selected by the grantee herein, his heirs or assigns. The said tunnel shall be at least eight feet high and eight feet wide, and shall commence at some point to be selected by the grantee herein, his heirs or assigns, at the hills near Carson River, and within the boundaries of Lyon County, and extending from said initial point in a westerly direction seven miles, more or less, to and beyond said Comstock lode; and the said right of way shall extend northerly and southerly on the course of said lode, either within the same, or east or west of the same; and also on or along any other lode which may be discovered or developed by the said tunnel.

SEC. 2. And be it further enacted, That the right is hereby granted to purchase not over two sections of public land at mouth of tunnel, for use thereof.

Not to be mineral lands, &c.

A. Sutro may purchase at one dollar and twenty-five cents per acre, a sufficient amount of public land near the mouth of said tunnel for the use of the same, not exceeding two sections, and such land shall not be mineral land or in the bona fide possession of other persons who claim under any law of Congress at the time of the passage of this act, and all minerals existing or which shall be discovered therein are excepted from this grant; that upon filing a plat of said land, the Secretary of the Interior shall withdraw the same from sale, and upon payment for the same a patent shall issue. And the said A. Sutro, his heirs and assigns, are hereby granted the right to purchase, at five dollars per acre, such mineral veins and lodes within two thousand feet on each side of said tunnel as shall be cut, discovered, or developed by running and constructing the same, through its entire extent, with all the dips, spurs, and angles of such lodes, subject, however, to the
provisions of this act, and to such legislation as Congress may hereafter provide: Provided, That the Comstock lode, with its dips, spurs, and angles, is excepted from this grant, and all other lodes, with their dips, spurs, and angles, located within the said two thousand feet, and which are or may be, at the passage of this act, in the actual bona fide possession of other persons, are hereby excepted from such grant. And the lodes herein excepted, other than the Comstock lode, shall be with held from sale by the United States; and if such lodes shall be abandoned or not worked, possessed, and held in conformity to existing mining rules, or such regulations as have been or may be prescribed by the legislature of Nevada, they shall become subject to such right of purchase by the grantee herein, his heirs or assigns.

Sec. 3. And be it further enacted, That all persons, companies, or corporations owning claims or mines on said Comstock lode or any other lode drained, benefited, or developed by said tunnel, shall hold their claims subject to the condition, (which shall be expressed in any grant they may hereafter obtain from the United States,) that they shall contribute and pay to the owners of said tunnel the same rate of charges for drainage or other benefits derived from said tunnel or its branches, as have been, or may hereafter be, named in agreement between such owners and the companies representing a majority of the estimated value of said Comstock lode at the time of the passage of this act.

APPROVED, July 25, 1866.

CHAP. CCXLV. — An Act to regulate the Times and Manner of holding Elections for Senators in Congress

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the legislature of each State which shall be chosen next preceding the expiration of the time for which any senator was elected to represent said State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a senator in Congress, in the place of such senator so going out of office, in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for senator in Congress from said State, and the name of the person so voted for, who shall have a majority of the whole number of votes cast in each house shall be entered on the journal of each house by the clerk or secretary thereof; but if either house shall fail to give such majority to any person on said day, that fact shall be entered on the journal. At twelve o'clock, meridian, of the day following that on which proceedings are required to take place, as aforesaid, the members of the two houses shall convene in joint assembly and the journal of each house shall then be read, and if the same person shall have received a majority of all the votes in each house, such person shall be declared duly elected senator to represent said State in the Congress of the United States; but if the same person shall not have received a majority of the votes in each house, or if either house shall have failed to take proceedings as required by this act, the joint assembly shall then proceed to choose, by a viva voce vote of each member present a person for the purpose aforesaid, and the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected; and in case no person shall receive such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the legislature, and take at least one vote until a senator shall be elected.

Sec. 2. And be it further enacted, That whenever, on the meeting of the legislature of any State, a vacancy shall exist in the representation of such State in the Senate of the United States, said legislature shall pro-
ceed, on the second Tuesday after the commencement and organization of its session, to elect a person to fill such vacancy, in the manner herein-before provided for the election of a senator for a full term; and if a vacancy shall happen during the session of the legislature, then on the second Tuesday after the legislature shall have been organized and shall have notice of such vacancy.

**SEC. 3. And be it further enacted,** That it shall be the duty of the governor of the State from which any senator shall have been chosen as aforesaid to certify his election, under the seal of the State, to the President of the Senate of the United States, which certificate shall be countersigned by the secretary of state of the State.

Approved, July 25, 1866.

July 26, 1866.  
CHAP. CCXLVI.—An Act to authorize the Construction of certain Bridges, and to establish them as Post Roads.

_Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for any person or persons, company or corporation, having authority from the States of Illinois and Missouri for such purpose, to build a bridge across the Mississippi River at Quincy, Illinois, and to lay on and over said bridge railway tracks, for the more perfect connection of any railroads that are or shall be constructed to said river at or opposite said point, and that when constructed all trains of all roads terminating at said river, at or opposite said point, shall be allowed to cross said bridge for reasonable compensation, to be made to the owners of said bridge, under the limitations and conditions hereinafter provided. And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches._

**SEC. 2. And be it further enacted,** That any bridge built under the provisions of this act may, at the option of the company building the same, be built as a drawbridge, with a pivot or other form of draw, or with unbroken or continuous spans: **Provided,** That if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation at the point of location, to the bottom chord of the bridge, nor shall the spans of said bridge be less than two hundred and fifty feet in length, and the piers of said bridge shall be parallel with the current of the river, and the main span shall be over the main channel of the river and not less than three hundred feet in length: And provided also, That if any bridge built under this act shall be constructed as a drawbridge, the same shall be constructed as a pivot drawbridge with a draw over the main channel of the river at an accessible and navigable point, and with spans of not less than one hundred and sixty feet in length in the clear on each side of the central or pivot pier of the draw, and the next adjoining spans to the draw shall not be less than two hundred and fifty feet; and said spans shall not be less than thirty feet above low-water mark, and not less than ten above extreme high-water mark, measuring to the bottom chord of the bridge, and the piers of said bridge shall be parallel with the current of the river: And provided also, That said draw shall be opened promptly upon reasonable signal for the passage of boats, whose construction shall not be such as to admit of their passage under the permanent spans of said bridge, except when trains are passing over the same; but in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

**SEC. 3. And be it further enacted,** That any bridge constructed under this act, and according to its limitations, shall be a lawful structure, and...
shall be recognized and known as a post route; upon which, also, no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, than the rate per mile paid for their transportation over the railroads or public highways leading to the said bridge.

SEC. 4. And be it further enacted, That it shall be lawful for the Chicago, Burlington, and Quincy Railroad Company, a corporation whose road has been completed to the Mississippi River, and connects with a railroad on the opposite side thereof, having first obtained authority therefor from the State, of Illinois and Iowa, to construct a railroad bridge across said river, upon the same terms, in the same manner, under the same restrictions, and with the same privileges, as is provided for in this act in relation to the bridge at Quincy, Illinois.

SEC. 5. And be it further enacted, That a bridge may be constructed at the town of Hannibal, in the State of Missouri, across the Mississippi River, so as to connect the Hannibal and Saint Joseph Railroad with the Pike County and Great Western railroads of Illinois, on the same terms and subject to the same restrictions as contained in this act for the construction of the bridge at Quincy, Illinois.

SEC. 6. And be it further enacted, That a bridge may be constructed across the Mississippi River between Prairie du Chien, in the State of Wisconsin, and North McGregor, in the State of Iowa, with the consent of the legislatures of Wisconsin and Iowa, on the same terms and subject to the same restrictions as are contained in this act for the construction of the bridge at Quincy, Illinois.

SEC. 7. And be it further enacted, That the Keokuk and Hamilton Mississippi Bridge Company, a corporation existing under the laws of the State of Iowa, and the Hancock County Bridge Company, a corporation existing under the laws of the State of Illinois, be and are hereby authorized to construct and maintain a bridge over the Mississippi River between Keokuk, Iowa, and Hamilton, Illinois, of the same character, description, and construction as provided in this act for the construction of the bridge at Quincy, Illinois.

SEC. 8. And be it further enacted, That the Winona and Saint Peter Railroad Company, a corporation existing under the laws of the State of Minnesota, is hereby authorized to construct and operate a railroad bridge across the Mississippi River between the city of Winona, in the State of Minnesota, and the opposite bank of the said river, in the State of Wisconsin, with the consent of the legislatures of Minnesota and Wisconsin; and said bridge by this section authorized is hereby declared a post route, and subject to all the terms, restrictions, and requirements contained in the foregoing sections of this act.

SEC. 9. And be it further enacted, That a bridge may be constructed and maintained across the Mississippi River between Duncannon, in the State of Illinois, and Dubuque, in the State of Iowa, with the consent of said States previously given or hereafter acquired, with the same privileges, upon the same terms, and under the same restrictions as are contained in this act for the construction of a bridge at Quincy, Illinois.

SEC. 10. And be it further enacted, That any company authorized by the legislature of Missouri may construct a bridge across the Missouri River, at the city of Kansas, upon the same terms and conditions provided for in this act.

SEC. 11. And be it further enacted, That the "Saint Louis and Illinois Bridge Company," a corporation organized under an act of the general assembly of the State of Missouri, approved February fifth, eighteen hundred and sixty-four, and an act amendatory of the same, approved February twentieth, eighteen hundred and sixty-five, and also confirmed
in its corporate powers under an act of the legislature of the State of Illinois, approved eighteen hundred and sixty-four, or any other bridge company organized under the laws of Missouri and Illinois, be, and the same is hereby, empowered to erect, maintain, and operate a bridge across the Mississippi River, between the city of Saint Louis, in the State of Missouri, and the city of East Saint Louis, in the State of Illinois, subject to all the conditions contained in said act of incorporation and amendments thereto, and not inconsistent with the following terms and provisions contained in this act. And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said waters, the cause may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.

SEC. 12. And be it further enacted, That the bridge authorized by the preceding section to be built shall not be a suspension bridge, or drawbridge, with pivot or other form of draw, but shall be constructed with continuous or unbroken spans, and subject to these conditions: First, that the lowest part of the bridge or bottom chord shall not be less than fifty feet above the city directrix at its greatest span. Second, that it shall have at least one span five hundred feet in the clear, or two spans of three hundred and fifty feet in the clear of abutments. If the two latter spans be used, the one over the main steamboat channel shall be fifty feet above the city directrix, measured to the lowest part of the bridge at the centre of the span. Third, no span over the water at low-water mark, shall be less than two hundred feet in the clear of abutments.

SEC. 13. And be it further enacted, That the right to alter or amend this act, so as to prevent or remove all material obstructions to the navigation of said river by the construction of bridges, is hereby expressly reserved.

APPROVED, July 25, 1866.
CHAP. CCXLVIII.—An Act providing for the Appointment of a Commission to examine and report upon certain Claims of the State of Iowa.

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 he hereby is, authorized and required to appoint a commission, whose duty it shall be to examine and report on or before the first day of December next upon the claim of the State of Iowa for forage, transportation, subsistence, and clothing furnished by said State to certain volunteers of said State, who, under the command of Colonels Morledge and Edwards, and at the request of certain officers commanding troops of the United States in the State of Missouri, marched into the State of Iowa to co-operate with the troops of the United States in that State in suppressing the rebellion. Also the claim of the State of Iowa for payment of certain moneys paid by said State in raising, arming, equipping, paying, and subsisting certain troops of the State maintained by the State on the southern and northwestern borders thereof during the late rebellion, for the purpose of defending the State against attacks by bushwhackers and Indians. And also the claim of said State for compensation for certain forage procured and barracks built by the State on the northwestern border thereof, and turned over by the State to and used by the United States.

APPROVED, July 25, 1866.

CHAP. CCXLIX.—An Act to incorporate "The National Soldiers' and Sailors' Orphan Home."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Julia B. Grant, Mrs. Ellen E. Sherman, Mrs. H. D. Cooke, Mrs. Margaret Fahnstock, Mrs. Kathleen Carlisle, Miss Charlotte Taylor, Mrs. Jane Speed, Mrs. Mary J. Wells, Mrs. A. C. Harlan, Mrs. Jane L. Smith, Mrs. Mary K. Lewis, Mrs. Jane Parnham, Mrs. Eliza M. Morris, Mrs. Cecelia S. Sherman, Mrs. Ellen Boyer, Mrs. Elizabeth A. Howard, Mrs. Kate C. Sprague, Mrs. Elsie B. Nye, Mrs. Annie Rouse, Mrs. Kate L. Plants, Mrs. Elizabeth G. Todd, Mrs. Abby E. Hall, Mrs. J. M. Trumbull, Miss Sarah Wood, Mrs. Jane Anne Pirtle, Miss Elizabeth Howard, and their successors, are constituted a body corporate in the District of Columbia, by the name of the National Soldiers' and Sailors' Orphan Home, and by that name may sue and be sued in any court of the United States.

SEC. 2. And be it further enacted, That the persons named in the first section of this act, together with such as may be elected according to the form of the constitution under this act, shall be the first trustees of the corporation; and all vacancies caused by death, resignation or otherwise, in the office of trustee, shall be filled by the board, by ballot, without unnecessary delay, as may be provided in the constitution and by-laws of the corporation.

SEC. 3. And be it further enacted, That said corporation shall have power to provide a home for, and to support and educate the destitute orphans of soldiers or sailors who have died in the late war in behalf of the Union of these States, from whatever State or Territory they may have entered the national service, or their orphans may apply to enter the Home, and which is hereby declared to be the object and purpose of said corporation; and to such end, and for such use, the said corporation may take and hold property real or personal to an amount necessary for the support and maintenance of the Home and the orphans partaking of its benefits.

SEC. 4. And be it further enacted, That the affairs of this corporation shall be managed by a board of directors consisting of not less than seventeen representing the District of Columbia, and of seven each,
from the respective States and Territories, to be chosen in such manner as the constitution and by-laws of said corporation shall direct, and that the said directors shall have power to make by-laws precluding the duties of the officers of said corporation, their term of office, and to make all other rules and regulations for said corporation and the management of its affairs, subject to the provisions of this act.

SEC. 5. And be it further enacted, That said corporation shall have power to receive under its charge for support and education any minor child of any such soldier or sailor, if so placed in its charge by its surviving parent or guardian, or, in the absence of either, by any person having the care or custody of such orphan; and while such child remains under its care, and until withdrawn as hereinafter provided, or discharged according to the regulations of said corporation, it shall be subject to the same power and control by said corporation as any father or lawful guardian has by law over or relating to such minor child.

SEC. 6. And be it further enacted, That no such orphan child shall ever be bound out; may be withdrawn by parent or guardian Minor children of certain soldiers and sailors may be received, &c., shall never be bound out;

SEC. 7. And be it further enacted, That the surviving parent or legal guardian of any child placed under charge of said corporation may at any time be by them withdrawn therefrom; and any minor over sixteen years of age, upon his or her own request in writing, shall be discharged therefrom.

SEC. 8. And be it further enacted, That any minor child so withdrawn or discharged as provided in the preceding section of this act shall nevertheless continue until majority under charge of said corporation to such an extent as that the said corporation shall have the control and management of any moneys which may be due to such minor from the government of the United States by virtue of the services of the fathers of such minor children, paying to such minor child or children only such amount thereof as in the judgment of said corporation shall be necessary and beneficial for such minor.

SEC. 9. And be it further enacted, That the property of said corporation, held or occupied by them for the uses and purposes of their incorporation, shall be exempt from all taxes to be levied under the authority of the Congress of the United States, or any municipal corporation within the District of Columbia, and no person shall lose or acquire a legal settlement by residence in the Home to be established by said corporation.

SEC. 10. And be it further enacted, That Congress may at any time hereafter repeal, alter, or amend this act.

APPROVED, July 25, 1866.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Washington, Alexandria, and Georgetown Railroad Company, a corporation lawfully succeeding to the charter, rights, and privileges of the “Alexandria and Washington Railroad Company,” be, and the same is hereby, authorized to extend said railroad from the track, as the same is now, or may hereafter be, laid through Maryland Avenue, at its intersection with Virginia Avenue, through and along said Virginia Avenue, in an easterly direction, to its intersection with D Street south; thence along D Street, and across the Washington canal, to New Jersey Avenue; thence by a curve to the left, of not less than one thousand feet radius, to a point in square number seven hundred and thirty-two; thence by an underground excavation or tunnel, passing under squares number seven hundred and thirty-two, seven hundred and sixty-two, seven hundred and eighty-seven, seven hundred and ninety-seven, seven hundred and sixty-two, seven hundred and eighty-seven, seven hun-
THIRTY-NINTH CONGRESS. Sess. I. Ch. 250. 1866.

Provisions of certain sections of former act applicable to this extension.

SEC. 2. And be it further enacted, That the provisions of sections three and four of the act to which this is an amendment shall be applicable to the extension of said road or tracks as hereby authorized, and that it shall be lawful for said company to construct a draw or other bridge across the Washington canal at its intersection with D Street south, of such plans and dimensions as may be approved by the corporation of Washington, and so as not to interfere with the navigation of said canal. And also to use steam power in the transportation of passengers and freight over said railroad and branches, subject, however, to such restrictions and regulations as may be imposed by the corporate authorities of the city of Washington in respect to such portions thereof as may be located in said city.

SEC. 3. And be it further enacted, That the consent of Congress be, and the same is hereby, granted for a period of eighteen months from the passage of this act, to the Alexandria, Washington, and Georgetown Railroad Company, to use steam power in drawing the cars of said company on the structure across the Potomac River erected by said company, under the provisions of the act entitled "An act to extend the charter of the Alexandria and Washington Railroad Company, and for other purposes," approved March three, eighteen hundred and sixty-three, and along the railway now laid by said company, or which may be hereafter laid, under the provisions of the said act, along Maryland Avenue and First Street west, in the city of Washington, to the present depot of the Washington branch of the Baltimore and Ohio Railroad, subject always, and in all particulars, to such restrictions and regulations concerning the use of said steam power as the corporation of Washington may, by its ordinances, [at] any time impose upon the said railroad company: Provided, That said company shall not propel their engines at a greater rate of speed than five miles per hour within the corporate limits of Washington city.

SEC. 4. And be it further enacted, That the said railroad company shall be required to pay any and all damages that may result to private property from the extension of said road, and the tunnelling under the several lots and squares of ground as heretofore provided; and that in the event the owner or owners of such property and the said company cannot agree as to the amount of such damages, or the value of any private property so appropriated for the purpose of such extension of said road, such proceedings shall thereupon be had for the appropriation and assessment of the damages thereof as are authorized and required under the laws now in force in the District of Columbia regulating appropriations and assessment of damages for opening roads, streets, and alleys in said District. That upon the payment to the owner or owners of the amount of such award of damages, or the lawful tender thereof, together with the payment of all costs of such proceedings, the said company shall acquire the right to use and occupy for the purposes of said railroad all such lands so appropriated, in such a manner as may be necessary for the proper working and running said road.

Approved, July 25, 1866.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 251, 252. 1866.

July 25, 1866. CHAP. CCLI.—An Act to authorize the Extension, Construction, and Use by the Baltimore and Ohio Railroad Company of a Railroad from between Knoxville and the Monocacy Junction into and within the District of Columbia.

Preamble.

Whereas it is represented to this present Congress that the Baltimore and Ohio Railroad Company, incorporated by the State of Maryland, are desirous of extending the road authorized to be built by them, by an act of the general assembly of that State, entitled “An act to authorize the Baltimore and Ohio Railroad Company to build a railroad from a point on the line of its road between Knoxville and the Monocacy Junction, through Frederick and Montgomery counties, to the boundary of the District of Columbia, so as to make a direct communication with the city of Washington,” into and within the District of Columbia: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Baltimore and Ohio Railroad Company shall be, and they are hereby, authorized to extend into and within the District of Columbia the road aforesaid, to such point or points, terminus or termini, as may be agreed upon between the said company and the corporation of Washington, in respect of a road within the limits of Washington, and between the said company and the corporation of Georgetown, as respects a road within the limits of Georgetown. And [d] the said Baltimore and Ohio Railroad Company are hereby authorized to have and exercise the same powers, rights, and privileges, and shall be subject to the same restrictions, in the extension and construction of the said road, into and within the said District as they have, may exercise, or possess, or are subject to within the State of Maryland, under and by virtue of their charter or act of incorporation from the State of Maryland; and shall be entitled to the same franchises, rights, compensation, benefits, and immunities in the use of the said road as are provided in the said charter.


SEC. 2. And be it further enacted, That all the provisions of the several acts of Congress relating to the lateral road authorized to be built into and within the District of Columbia by an act passed March second, eighteen hundred and thirty-one, and entitled “An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio Road into and within the District of Columbia,” and the supplements thereto, be, and they are hereby, declared to apply to the Baltimore and Ohio Railroad Company so far as they are severally applicable to the location, construction, and use by the said company of the road now authorized to be constructed into and within the said District.

SEC. 3. And be it further enacted, That the said railroad company shall commence the construction of said extension of said road within one year, and complete the same within three years after the passage of this act; and on failure to do so, the privileges granted by this act shall be forfeited by said company.

APPROVED, July 25, 1866.

July 25, 1866. CHAP. CCLII.—An Act to change the Port of Entry in Puget’s Sound.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of October, eighteen hundred and sixty-six, the port of Port Angeles, in the district of Puget’s Sound, in Washington Territory, is hereby abolished as a port of entry, and that Port Townsend be, and is hereby, established as the port of entry and delivery for the said district, from and after said date.

APPROVED, July 25, 1866.
CHAP. CCLIII.—An Act to grade East Capitol Street and establish Lincoln Square.

July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of public buildings be, and he hereby is, authorized and directed, in such manner as he may deem most proper, to cause East Capitol Street to be graded from Third Street east to Eleventh Street east, and to cause the square at the intersection of said street with Massachusetts, North Carolina, Tennessee, and Kentucky avenues, between Eleventh and Thirteenth streets east, to be enclosed with a wooden fence, and the same shall be known as Lincoln Square. And the sum of fifteen thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to enable the said improvement to be made.

APPROVED, July 25, 1866.

CHAP. CCLIV.—An Act in Relation to the unlawful Tapping of Government Water Pipes.

July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unlawful tapping of any water pipe laid down in the District of Columbia by authority of the United States is hereby declared to be a misdemeanor and an indictable offence; and any person who may be indicted for and convicted of such offence in the criminal court of the District of Columbia shall be subject to such fine as the court may think proper to impose, not exceeding five hundred dollars, or to imprisonment for a term not exceeding one year. And it is hereby made the special duty of the commissioner of public buildings to bring to the notice of the attorney of the United States for the District of Columbia, or to the grand jury, any infraction of this law.

APPROVED, July 25, 1866.

CHAP. CCLV.—An Act to authorize the Entry and Clearance of Vessels at the Port of Calais, Maine.

July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, the Secretary of the Treasury may authorize, under such regulations as he shall deem necessary, the deputy collector of customs at Calais, in the State of Maine, to enter and clear vessels, and to perform such other official acts as the said Secretary shall think advisable.

APPROVED, July 25, 1866.

CHAP. CCLXII.—An Act granting the Right of Way to Ditch and Canal Owners over the Public Lands, and for other Purposes.

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the mineral lands of the public domain, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and occupation by all citizens of the United States, and those who have declared their intention to become citizens, subject to such regulations as may be prescribed by law, and subject also to the local customs or rules of miners in the several mining districts, so far as the same may not be in conflict with the laws of the United States.

Sec. 2. And be it further enacted, That whenever any person or association of persons claim a vein or lode of quartz, or other rock in place, bearing gold, silver, cinnabar, or copper, having previously occupied and improved the same according to the local custom or rules of miners in the district where the same is situated, and having expended in actual labor and improvements thereon an amount of not less than one thousand dol-
purposes, and in regard to whose possession there is no controversy or opposing claim, it shall and may be lawful for said claimant or association of claimants to file in the local land office a diagram of the same, so extended laterally or otherwise as to conform to the local laws, customs, and rules of miners, and to enter such tract and receive a patent therefor, granting such mine, together with the right to follow such vein or lode with its dips, angles, and variations, to any depth, although it may enter the land adjoining, which land adjoining shall be sold subject to this condition.

SEC. 3. And be it further enacted, That upon the filing of the diagram as provided in the second section of this act, and posting the same in a conspicuous place on the claim, together with a notice of intention to apply for a patent, the register of the land office shall publish a notice of the same in a newspaper published nearest to the location of said claim, and shall also post such notice in his office for the period of ninety days; and after the expiration of said period, if no adverse claim shall have been filed, it shall be the duty of the surveyor-general, upon application of the party, to survey the premises and make a plat thereof, indorsed with his approval, designating the number and description of the location, the value of the labor and improvements, and the character of the vein exposed; and upon the payment to the proper officer of five dollars per acre, together with the cost of such survey, plat, and notice, and giving satisfactory evidence that said diagram and notice have been posted on the claim during said period of ninety days, the register of the land office shall transmit to the general land office said plat, survey, and description; and a patent shall issue for the same thereupon. But said plat, survey, or description shall in no case cover more than one vein or lode, and no patent shall issue for more than one vein or lode, which shall be expressed in the patent issued.

SEC. 4. And be it further enacted, That when such location and entry of a mine shall be upon unsurveyed lands, it shall and may be lawful, after the extension thereto of the public surveys, to adjust the surveys to the limits of the premises according to the location and possession and plat aforesaid, and the surveyor-general may, in extending the surveys, vary the same from a rectangular form to suit the circumstances of the country and the local rules, laws, and customs of miners: Provided, That no location hereafter made shall exceed two hundred feet in length along the vein for each locator, with an additional claim for discovery to the discoverer of the lode, with the right to follow such vein to any depth, with all its dips, variations, and angles, together with a reasonable quantity of surface for the convenient working of the same as fixed by local rules: And provided further, That no person may make more than one location on the same lode, and not more than three thousand feet shall be taken in any one claim by any association of persons.

SEC. 5. And be it further enacted, That as a further condition of sale, in the absence of necessary legislation by Congress, the local legislature of any State or Territory may provide rules for working mines involving easements, drainage, and other necessary means to their complete development; and those conditions shall be fully expressed in the patent.

SEC. 6. And be it further enacted, That whenever any adverse claimants appear to any mine located and claimed as aforesaid shall appear before the approval of the survey, as provided in the third section of this act, all proceedings shall be stayed until a final settlement and adjudication in the courts of competent jurisdiction of the rights of possession to such claim, when a patent may issue as in other cases.

SEC. 7. And be it further enacted, That the President of the United States be, and is hereby, authorized to establish additional land districts and to appoint the necessary officers under existing laws, wherever he may deem the same necessary for the public convenience in executing the provisions of this act.
SEC. 8. And be it further enacted, That the right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted.

SEC. 9. And be it further enacted, That whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes, have vested and accrued, and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same; and the right of way for the construction of ditches and canals for the purposes aforesaid is hereby acknowledged and confirmed: Provided, however, That whenever, after the passage of this act, any person or persons shall, in the construction of any ditch or canal, injure or damage the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

SEC. 10. And be it further enacted, That wherever, prior to the passage of this act, upon the lands heretofore designated as mineral lands, which have been excluded from survey and sale, there have been homesteads made by citizens of the United States, or persons who have declared their intention to become citizens, which homesteads have been made, improved, and used for agricultural purposes, and upon which there have been no valuable mines of gold, silver, cinnabar, or copper discovered, and which are properly agricultural lands, the said settlers or owners of such homesteads shall have a right of pre-emption thereto, and shall be entitled to purchase the same at the price of one dollar and twenty-five cents per acre, and in quantity not to exceed one hundred and sixty-acres; or said parties may avail themselves of the provisions of the act of Congress approved May twenty, eighteen hundred and sixty-two, entitled "An act to secure homesteads to actual settlers on the public domain," and acts amendatory thereof.

SEC. 11. And be it further enacted, That upon the survey of the lands aforesaid, the Secretary of the Interior may designate and set apart such portions of the said lands as are clearly agricultural lands, which lands shall thereafter be subject to pre-emption and sale as other public lands made subject to pre-emption and sale.

APPROVED, July 26, 1866.

CHAP CCLXIi. An Act to authorize "The Chesapeake Bay and Potomac River Tidewater Canal Company" to enter the District of Columbia, and extend their Canal to the Anacostia River at any Point above Benning's Bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That "The Chesapeake Bay and Potomac River Tidewater Canal Company," incorporated by the general assembly of the State of Maryland, at the January session thereof, eighteen hundred and sixty-six, by an act entitled "An act to incorporate the Chesapeake Bay and Potomac River Tide-water Canal Company," be, and the same are hereby, authorized to extend their canal from the point where it strikes the boundary line of the District of Columbia, thence in and through the said District to the Anacostia River at any point thereon above Benning's Bridge.

SEC. 2. And be it further enacted, That the said company are hereby authorized and empowered to take, purchase, and hold, for the purpose[s] of this act, so much real estate and other property as shall be necessarily required for the proper construction of the extension aforesaid, and for the construction of all proper and convenient basins, locks, reservoirs, docks, and wharves, to be connected with said extension. And where the said company shall not be able to procure such real estate by purchase may take and hold property necessary for proper construction of extension, &c.

Proceedings where land can-
from the owner thereof, or the owner thereof shall be a femme covert, infant, non compos mentis, imprisoned, or resident beyond the District of Columbia, then application may be made by the president of said company to the chief justice of the supreme court of the District of Columbia, for the appointment of three persons, who shall be freeholders in said District, as a commission of inquest of damages, and who shall go upon and inspect any property proposed to be taken by said company for the purposes contemplated by this act; and before any person so appointed as such commissioner shall proceed to act, he shall take an oath or affirmation that he will fairly and truly value the damages sustained by the owner or owners of any property by the use and occupation of any such real estate, water rights, or other property, by said company; and said commission shall reduce their inquisition or finding to writing, and sign and seal the same, and it shall then be returned to the said chief justice, who shall file the same in the office of the register of deeds of the city of Washington. But no such inquisition shall be had until after ten days' notice thereof has been served on the owner of the real estate so to be taken, when he resides in the District of Columbia, or by publication of notice in one or more of the daily newspapers published in the city of Washington, for twenty days where such owner resides beyond said District. When the owner is a femme covert, the notice shall be to her and her husband; when he is a minor, to his guardian; and when he is non compos mentis, to his committee, or the person having charge of his estate. The said report shall be confirmed by the supreme court of the District of Columbia at its next term after the return of said report, unless for cause shown to the contrary. And where good cause is thus shown, the said chief justice shall set aside said inquest, and appoint another similar commission, who shall qualify in the same manner, and whose inquisition shall be taken, returned, filed, and confirmed, or set aside for good cause shown, in the same manner as the first inquisition was taken, returned, filed, and confirmed, or set aside. And such commission and inquisition shall be renewed as often as may be necessary, until the inquisition made shall be confirmed. Such inquisition shall describe the property taken by metes and bounds, and the valuation thereof shall be paid or tendered within ten days after the confirmation of such inquisition by said district court; and when such valuation or damages are so paid or tendered, said company shall have a full and perfect right to enter upon, use, occupy, and enjoy any property so valued during its corporate existence, and all expenses incurred by such inquisition shall be paid by said company.

SEC. 3. And be it further enacted, That it shall be lawful for said company to levy, demand, and receive such even tolls and rents for the use of the wharves and docks of said company on said extension, or for freight transported by said company, or for the passage through said extension of boats, rafts, or any other water craft, as a majority of the directors at any regular meeting shall assess therefor: Provided, That the Congress of the United States shall at all times have power to increase or reduce such tolls or rents.

SEC. 4. And be it further enacted, That the said canal extension, when completed, shall forever thereafter be esteemed and taken to be a public highway for the transportation of all goods, commodities, or produce of every kind and description, and for all canal boats, rafts, or other water crafts of every kind whatever, upon the payment of such tolls or rents as are authorized to be imposed by this act.

SEC. 5. And be it further enacted, That the said company shall permit all public property belonging to the United States to pass through said canal extension free of all charge or toll; and the said company shall, from time to time, as may be required, lay before Congress a just and true account of their receipts and expenditures on said extension, with a statement of the clear profits thereof.
SEC. 6. And be it further enacted, That, subject to the aforesaid provisions of this act, all and singular the provisions of the aforesaid act of the general assembly of the State of Maryland, entitled “An act to incorporate the Chesapeake Bay and Potomac River Tide-water Canal Company,” relating to the powers, liabilities, and authority of said company, in operating and using their canal, shall take effect and apply to the extension aforesaid in the District of Columbia.

SEC. 7. And be it further enacted, That this act shall be deemed a public act, and shall take effect and be in force from and after its passage, and shall be subject to alteration or repeal by Congress.

APPROVED, July 26, 1866.

CHAP. CCLXIV. — An Act authorizing the Secretary of the Treasury to issue Certificates of Registry, or Enrolment and License, to certain Vessels.

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 to issue certificates of registry, or enrolment and license, to the steamer “Diana,” of Victoria, Vancouver Island; the schooners “M. C. Rowe,” of Gloucester, Massachusetts; “Mary,” of Dexter, New York; “Jesse Conger,” of Oswego, New York; “N. C. Ford,” of Buffalo, New York; “Sweet Home,” of Rochester, New York; “Alma,” of Sodus, New York; “Marco Polo,” of Erie, Pennsylvania; brig “Three Bells,” of Rochester, New York; barque “J. S. Austin,” of Buffalo, New York; and the sloop “Dolphin,” of Alexandria Bay, New York: Provided, That there shall be paid on each of such vessels that are foreign built a tax equal to the internal revenue tax upon the materials and construction of similar vessels of American build.

APPROVED, July 26, 1866.

CHAP. CCLXV. — An Act to authorize the Issue of certain Bonds in Denominations greater than One Thousand Dollars.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bonds of the United States authorized by the act of July first, eighteen hundred and sixty-two, “To aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean,” and by all acts amendatory thereof, may be issued in denominations greater than one thousand dollars, at the discretion of the Secretary of the Treasury: Provided, however, That it shall at all times be optional with any railroad company whether they will receive bonds of a larger denomination than one thousand dollars.

APPROVED, July 26, 1866.

CHAP. CCLXVI. — 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 thirtieth June, eighteen hundred and sixty-seven, and for other Purposes.

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—

For the current and contingent expenses of the Indian department, namely:

For the pay of superintendents of Indian affairs and of Indian agents, one hundred and ten thousand and fifty dollars.

For pay of sub-agents, six thousand dollars.

For pay of clerk to superintendent at Saint Louis, Missouri, one thousand two hundred dollars.
For pay of temporary clerks by superintendents of Indian affairs, five thousand dollars.

For pay of clerk to superintendent of Indian affairs in California, one thousand eight hundred dollars.

For pay of interpreters, twenty-eight thousand four hundred dollars.

For presents to Indians, five thousand dollars.

For provisions for Indians, eleven thousand eight hundred dollars.

For buildings at agencies and repairs thereof, ten thousand dollars.

For contingencies of the Indian department, thirty-six thousand five hundred dollars.

For fulfilling treaty stipulations with the various Indian tribes:

Chasta, Sco-ton, and Umpqua Indians. — For twelfth of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four, two thousand dollars.

For twelfth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For twelfth of fifteen instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For twelfth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of Lake Superior. — For two thirds of last of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand three hundred and thirty-three dollars and thirty-three cents.

For two thirds of last of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight hundred dollars.

For two thirds of last of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, seven thousand dollars.

For two thirds of last of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two thirds of last of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For two thirds of last of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

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treaty thirtieth September, eighteen hundred and fifty-four, three thousand dollars.

For twelfth of twenty instalments for moral and educational purposes, three hundred dollars of which to be paid to the Grand Portage band yearly, to enable them to maintain a school at their village, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand dollars.

For twelfth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, three thousand dollars.

For twelfth of twenty instalments for the support of six smiths' shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For twelfth of twenty instalments for the seventh smith and assistant, and support of shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand two hundred dollars.

For gratuities for the purpose of quieting the claim of the Lac de Flambeau band of Chippewas, for an interest in the lands ceded to the United States by the Bois Forte band of Chippewas Indians, three thousand dollars.

Chippewas of the Mississippi.—For one third of last of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

For one third of last of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four hundred dollars.

For one third of last of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand five hundred dollars.

For one third of last of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of last of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of last of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of last of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three hundred and thirty-three dollars and thirty-three cents.
For twelfth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Chippewas, Pillager, and Lake Winnebagoshish Bands.—For twelfth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

For twelfth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For twelfth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For twelfth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For twelfth of fifteen instalments for support of two smiths and smiths' shops, per third article treaty twenty-second February, eighteen hundred and fifty-five, two thousand one hundred and twenty dollars.

For pay of an engineer to grist and saw mill at Leech Lake, per third article of treaty twenty-second February, eighteen hundred and fifty-five, six hundred dollars.

Chippewas of Saginaw, Swan Creek, and Black River.—For first of two equal instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of August second, eighteen hundred and fifty-five, eighteen thousand eight hundred dollars.

Chippewa, Menomones, Winnebagos, and New York Indians.—For education during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Chickasaws.—For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

Choctaws.—For permanent annuity, per sixth article treaty sixteenth November, eighteen hundred and fifty-five, three thousand dollars.

For permanent provision for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum per annum, for education, support of the government, and other beneficial purposes, under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.
Choctaws and Chickasaws.—For this amount, or so much thereof as may become due to the Choctaws and Chickasaws under the third and forty-sixth articles of the treaty of April twenty-eighth, eighteen hundred and sixty-six, for interest at the rate of five per centum, upon the amount paid for certain lands ceded by them to the United States, fifteen thousand dollars.

For this amount, or so much thereof as may be necessary to enable the Secretary of the Interior to cause a census of each tribe to be taken, as per first clause, eighth article, treaty of April twenty-eighth, eighteen hundred and sixty-six, one thousand five hundred dollars.

For this amount to be advanced the Choctaws for the cession of the leased district, and the admission of the Kansas Indians, as per forty-sixth article treaty of April twenty-eighth, eighteen hundred and sixty-six, one hundred and fifty thousand dollars.

For this amount to be advanced the Chickasaws for the cession of the leased district, and the admission of the Kansas Indians, as per forty-sixth article treaty of April twenty-eighth, eighteen hundred and sixty-six, fifty thousand dollars.

For pay of commissioners to be appointed by the President, as per forty-ninth and fiftieth articles treaty of April twenty-eighth, eighteen hundred and sixty-six, and Senate amendment thereto, or so much thereof as may be necessary, four thousand three hundred and twenty dollars.

Camanches, Kiowas, and Apaches, of Arkansas River.—For the third of five instalments, being the second series for the purchase of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

For expenses of transportation of the second of five instalments of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Creeks.—For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

For permanent annuity in money, per second article treaty sixteenth June, eighteen-hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

For permanent annuity for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For permanent annuity for iron and steel for shop, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.
For wagon-maker during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For assistance in agricultural operations during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For education during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand dollars.

For five per centum interest on two hundred thousand dollars, for purposes of education, per sixth article treaty seventh August, eighteen hundred and fifty-six, ten thousand dollars.

Delawares.

Delawares.—For life annuity to chief, per, private article to supplemental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine, for education, per senate resolution of January nineteenth, eighteen hundred and thirty-eight, and fifth article treaty May sixth, eighteen hundred and fifty-six, two thousand and thirty-three dollars.

Lowas.

Lowas.—For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first of July, eighteen hundred and forty-six, ten thousand dollars.

Kickapoos.

Kickapoos.—For thirteenth instalment of interest, at five per centum, on one hundred thousand dollars, for educational and other beneficial purposes, per second article treaty May eighteenth, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars.

Menomonees.

Menomonees.—For eleventh of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and sixty-six, nine hundred and sixteen dollars and sixty-six cents.

Miamies of Kansas.

Miamies of Kansas.—For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighty-six, and fourth article treaty June fifth, eighteen hundred and fifty-four, nine hundred and forty dollars.
For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four, six hundred dollars.

For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.

For seventh of twenty installments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.

Miamies of Indiana. — For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, uninvested, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents.

Miamies — Eel River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

For permanent annuity in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine, three hundred and fifty dollars.

Nisqually, Puyallup, and other Tribes and Bands of Indians. — For twelfth installment, in part payment for relinquishment of title lands, to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and forty, twelve hundred dollars.

For twelfth of twenty installments for pay of instructor, smith, physician, carpenter, farmer, and assistant, if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Omahas. — For the ninth of ten installments of this amount, being second of series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

Osages. — For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, for one year, the value of fifty-four sections of land set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

For interest on three hundred thousand dollars at five per centum per annum, to be paid semi-annually in money or such articles as the Secretary of the Interior may direct, as per first article treaty of September twenty-nine, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, fifteen thousand dollars.

For transportation of goods, provisions, and so forth, purchased by the Great and Little Osage Indians, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, three thousand five hundred dollars.

Ottoes and Missourias. — For ninth of ten installments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and sixty-four, eighteen hundred and fifty-four, thirteen thousand dollars.

Ottawas and Chippewas of Michigan. — For interest on two hundred and six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand three hundred dollars.
Pawnees.
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Pawnees.—For fourth of five instalments of the second series in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, thirty thousand dollars.

For support of two manual-labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel, and other necessaries for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tin-smith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article of treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For ninth of ten instalments for farming utensils and stock, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For eighth of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For eighth of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For grist and saw mill, and keeping the same in repair, per fourth article treaty September twenty-fourth, eighteen hundred and fifty-seven, three hundred dollars.

Pottawatomies of Huron.

Pottawatomies.—For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars.

Pottawatomies.


For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars.


For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.


For permanent annuity in silver, per third article treaty third August, eighteen hundred and twenty-eight, and fourth article treaty twentieth September, eighteen hundred and thirty-two, five thousand dollars.


For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.


For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two thousand dollars.


For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven hundred dollars.


For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and fourth article treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars.
For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars.

For permanent provisions for three blacksmiths and assistants, and permanent provision for iron and steel for shops, per third article treaty sixteenth October, eighteen hundred and twenty-eight, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars.

For iron and steel, six hundred and sixty dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, four hundred and thirty-seven dollars and fifty cents.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Quapaws.- For education during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand, dollars.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

Rogue Rivers. — For thirteenth of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars.

Sacs and Foxes of Missouri. — For permanent annuity in goods otherwise, per third article treaty third November, eighteen hundred and forty, one thousand dollars.

For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars.

For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars.

Sacs and Foxes of Missouri. — For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars.

Seminoles. — For the last of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For the last of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For the last of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand two hundred dollars.

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west,
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eighth article treaty seventh August eighteen hundred and fifty-six, twelve thousand five hundred dollars.

_Senecas._—For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars.

For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.

For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars.

For miller during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.

_Senecas of New York._—For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars.

For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars.

For interest, at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

_Senecas and Shawnees._—For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twentieth July, eighteen hundred and thirty-one, one thousand and sixty dollars.

_Shawnees._—For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.

For thirteenth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

_Six Nations of New York._—For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars.

_Umpquas (Cow Creek Band)._—For thirteenth of twenty instalments in blankets, clothing, provisions, and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dollars.

_Umpquas and Calapooias, of Umpqua Valley, Oregon._—For second of five instalments, of the third series, of annuity for beneficial objects, to be expended as directed by the President, per third article treaty twentieth November, eighteen hundred and fifty-four, one thousand seven hundred dollars.

For twelfth of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand dollars.

For twelfth of twenty instalments for the pay of a teacher and purchase of books and stationery, per sixth article treaty twenty-ninth No-
vember, eighteen hundred and fifty-four, one thousand four hundred and fifty dollars.

Winnebagos. — For interest on one million dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, fifty thousand dollars.

For twenty-first of thirty installments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirteenth October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars.

For the erection of a saw-mill, with grist-mill attached, on their new reservation, as per third article treaty of March eighth, eighteen hundred and sixty-five, ten thousand dollars.

For expense of breaking and fencing one hundred acres of land for each band of said Indians, as per third article treaty of March eighth, eighteen hundred and sixty-five, nine thousand and eighty-seven dollars and sixty cents.

For expense of sowing and planting one hundred acres of land for each band of said Indians, and furnishing seed for the same, as per third article treaty of March eighth, eighteen hundred and sixty-five, five thousand dollars.

For the purchase of guns for said Indians, as per third article treaty of March eighth, eighteen hundred and sixty-five, two thousand dollars.

For the purchase of four hundred horses, one hundred cows, twenty yoke of oxen, twenty wagons, and forty chains, as per third article treaty of March eighth, eighteen hundred and sixty-five, and Senate amendment thereto of February thirteenth, eighteen hundred and sixty-six, sixty thousand three hundred dollars.

For the purchase of agricultural implements, as per third article treaty of March eighth, eighteen hundred and sixty-five, five hundred dollars.

For the erection of an agency building, schoolhouse, warehouse, and suitable buildings for the physician, carpenter, interpreter, miller, engineer, and blacksmith, on the new reservation of said Indians, as per fourth article treaty of March eighth, eighteen hundred and sixty-five, twenty-one thousand dollars.

For erection of a house for each chief of the said tribes, as per fourth article treaty of March eighth, eighteen hundred and sixty-five, twenty-two thousand five hundred dollars.

For expenses of the removal of the property of said Indians to their new homes, as per fifth article treaty of March eighth, eighteen hundred and sixty-five, three hundred dollars.

Winnebago and Pottawatomie Indians of Wisconsin. — To enable the Secretary of the Interior to take charge of certain stray bands of Winnebago and Pottawatomie Indians in the State of Wisconsin, five thousand dollars.

Yancton Tribe of Sioux. — For eighth of ten installments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservations, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars.

Calapooias, Molalla, and Clackamas Indians, of Willamette Valley. — For second of five installments of the second series of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five, six thousand five hundred dollars.

Poncas. — For the third of ten installments of the second series, to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their
Poncas. future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, ten thousand dollars.

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For eighth of ten instalments for the establishment and maintenance of one or more manual-labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

For eighth of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

D'Wamish, &c. in Washington Territory. For eighth of ten instalments on one hundred and fifty thousand dollars, under the direction of the President, per sixth article treaty twenty-second January, eighteen hundred and fifty-five, seven thousand five hundred dollars.

Vol. xii. p. 927.

For seventh of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

For seventh of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Makah tribe.

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For first of four instalments of thirty thousand dollars, (being the fourth series,) under the direction of the President, per fifth article treaty January thirty-first, eighteen hundred and fifty-five, one thousand five hundred dollars.

For seventh of twenty instalments for the support of an agricultural and industrial school, and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For seventh of twenty instalments for support of a smith and carpenter's shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Walla-Walla, Cayuse, and Umatilla Tribes. For second of five instalments of second series, to be expended under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, six thousand dollars.

For seventh of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines and hospital stores, books and stationery for schools, and furniture for the employés, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars.

For seventh of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, two millers, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician, and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five, eleven thousand two hundred dollars.
For seventh of twenty instalments for the pay of each of the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five hundred dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand five hundred dollars.

For seventh of twenty instalments for salary for the son of Pio-piomox-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five, one hundred dollars.

Yakama Nation.—For second of five instalments, of second series, for beneficial objects, at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

For seventh of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school, keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For seventh of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For seventh of twenty instalments for keeping in repair the buildings required for the various employes, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for the salary of such person as the said confederated tribes and band of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Nez Perce Indians.—For second of five instalments of second series for beneficial objects, at discretion of the President, per fourth article treaty June eleventh, eighteen hundred and fifty-five, eight thousand dollars.

For seventh of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school, keeping in repair school building, and for providing suitable furniture, books, and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For seventh of twenty instalments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of one superin-
tendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For seventh of twenty instalments for keeping in repair saw and flouring mill, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For seventh of twenty instalments for keeping in repair the buildings for the various employes, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For first of four instalments to enable the Indians to remove and locate upon the reservation, to be expended in ploughing land and fencing lots, as per first clause fourth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, seventy thousand dollars.

For the purchase of agricultural implements, including wagons and carts, harness, cattle, and sheep, or other stock, as may be deemed most beneficial, as per second clause fourth article treaty of June ninth, eighteen hundred and sixty-three, fifty thousand dollars.

For the erection of a saw and flouring mill, to be located at Kamia, as per third clause fourth article treaty of June ninth, eighteen hundred and sixty-three, ten thousand dollars.

For the erection of two churches, as per fifth clause fourth article treaty of June ninth, eighteen hundred and sixty-three, two thousand five hundred dollars.

For salary of two subordinate chiefs, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand dollars.

For the erection of buildings for the subordinate chiefs, and to plough and fence the land for said chiefs, as well as to procure the necessary furniture, and to complete and furnish the house, and so forth, of the head chief, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, two thousand five hundred dollars.

For the erection of two school-houses, including boarding-houses, and the necessary out-buildings, as per first clause fifth article treaty of June ninth, eighteen hundred and sixty-three, ten thousand dollars.

For the erection of a hospital and providing the necessary furniture, as per second clause fifth article treaty of June ninth, eighteen hundred and sixty-three, twelve hundred dollars.
For the erection of a blacksmith shop, to be located at Kamia, to aid in the completion of the smith's shop at the agency, and to purchase the necessary tools, iron, steel, and so forth, as per third clause fifth article treaty of June ninth, eighteen hundred and sixty-three, two thousand dollars.

For the erection of houses for employés, repairs of mills, shops, and so forth, and providing necessary furniture, tools, and materials, as per fourth clause fifth article treaty June ninth, eighteen hundred and sixty-three, three thousand dollars.

For salary of two matrons to take charge of the boarding-schools, two assistant teachers, one farmer, one carpenter, and two millers, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, seven thousand six hundred dollars.

For the erection of a house for Indian chief Timothy, as per sixth article treaty of June ninth, eighteen hundred and sixty-three, six hundred dollars.

To pay the claims of certain members of the Nez Perce tribe for services rendered and for horses furnished by them to the Oregon mounted volunteers on the sixth of March, eighteen hundred and fifty-six, at Camp Cornelius, as per seventh article treaty of June ninth, eighteen hundred and sixty-three (to be paid in gold), four thousand six hundred and sixty-five dollars.

Flatheads and other Confederated Tribes. — For the third of five installments on one hundred and twenty thousand dollars, being the second series, for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, five thousand dollars.

For seventh of twenty installments for the support of an agricultural and industrial school, keeping in repair the buildings, and providing suitable furniture, books, and stationery, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty installments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For seventh of twenty installments for keeping in repair blacksmiths', tin and gunsmiths', carpenters', and wagon and plough makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty installments for the employment of two farmers, two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For seventh of twenty installments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty installments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty installments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

For seventh of twenty installments for keeping in repair the buildings required for the various employés, and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty installments for the pay of each of the head
chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, fifteen hundred dollars.

Confederated Tribes and Bands of Indians in Middle Oregon.—For second of five instalments, second series, of six thousand dollars, for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, fifteen thousand dollars.

For seventh of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For seventh of twenty instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school-teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

For seventh of twenty instalments for payment of salary to the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of ten instalments for keeping in repair saw and flouring mills, and for the pay of necessary employes, the benefits of which to be shared alike by all the confederated bands, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand five hundred dollars.

For seventh of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, two thousand dollars.

For pay of teachers to manual-labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand dollars.

Qui-nai-elt and Qui-leh-ute Indians.—For the first of four instalments on twenty-five thousand dollars (being the fourth series) for beneficial objects, under the direction of the President, per fifth article treaty first July, eighteen hundred and fifty-five, three thousand dollars.

For seventh of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article treaty first July, eighteen hundred and fifty-five, two thousand five hundred dollars.

For seventh of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicine for the sick, per tenth article treaty first July, eighteen hundred and fifty-five, four thousand six hundred dollars.

Ottawa Indians of Blanchard's Fork and Roche de Beuf.—For the
last of four instalments, in money, per fourth article treaty twenty-fourth June, eighteen hundred and sixty-two, eight thousand five hundred dollars.

For interest on eight thousand five hundred dollars, at five per centum, being the unpaid principal of thirty-four thousand dollars, per fourth article treaty June twenty-fourth, eighteen hundred and sixty-two, four hundred and twenty-five dollars.

For the last of four instalments of the principal sum held in stocks by the government, to be paid as annuity in eighteen hundred and sixty-seven, per fourth article treaty June twenty-fourth, eighteen hundred and sixty-two, two thousand eight hundred and forty-nine dollars and eighty-seven cents.

**Arapahoes and Cheyenne Indians of the Upper Arkansas River.** — For sixth of fifteen instalments of annuity of thirty thousand dollars, to be expended for their benefit, — that is to say, fifteen thousand dollars per annum for each tribe, commencing with the year in which they shall remove to and settle upon their reservations, — per fourth article treaty February eighteenth, eighteen hundred and sixty-one, ten thousand dollars.

For the third of fifteen instalments to be expended annually for the purpose of supplying them with galling twine, cotton matter, calico, linen, blankets, sheeting, flannels, provisions, farming tools, and for such other useful articles, and for such other useful purposes as may be deemed for their best interests, per third article supplementary treaty of twelfth April, eighteen hundred and sixty-four, eight thousand dollars.

For this amount to the Pembina band of Chippewas, per third article supplementary treaty April twelfth, eighteen hundred and sixty-four, three thousand nine hundred dollars.

**Chippewas of Red Lake, and Pembina Tribe of Chippewas.** — For annuity to be paid per capita to the Red Lake band of Chippewas, during the pleasure of the President, per third article treaty second October, eighteen hundred and sixty-three, and second article supplementary to treaty twelfth April, eighteen hundred and sixty-four, ten thousand dollars.

For the third of fifteen instalments for same objects for the Pembina band of Chippewas, per third article supplementary treaty April twelfth, eighteen hundred and sixty-four, eight thousand dollars.

For the third of fifteen instalments for pay of one blacksmith, one physician, who shall furnish medicine for the sick, one miller, and one farmer, per fourth article supplementary treaty April twelfth, eighteen hundred and sixty-four, three thousand nine hundred dollars.
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For third of fifteen instalments for the purchase of iron and steel, and other articles for blacksmithing purposes, per fourth article supplementary treaty April twelfth, eighteen hundred and sixty-four, one thousand five hundred dollars.

For third of fifteen instalments, to be expended for carpentering and other purposes, per fourth article supplementary treaty April twelfth, eighteen hundred and sixty-four, one thousand dollars.

For third of fifteen instalments, to defray the expenses of a board of visitors, to consist of not more than three persons, to attend upon the annuity payments of the said Chippewa Indians, whose salary shall not exceed five dollars per day, nor more than twenty days, and ten cents per mile for travelling expenses, and not to exceed three hundred miles, per sixth article treaty October second, eighteen hundred and sixty-three, three hundred and ninety dollars.

For insurance and transportation of annuity goods and provisions, and material for building mill, including machinery, iron and steel for blacksmiths, for the Chippewas of Red Lake and Pembina tribe, ten thousand dollars.


Western Bands of Shoshonees. — For third of twenty instalments, to be expended under the direction of the President in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per seventh article treaty October first, eighteen hundred and sixty-three, five thousand dollars.

Eastern Bands of Shoshonees. — For third of twenty instalments, to be expended under the direction of the President, in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per fifth article treaty July second, eighteen hundred and sixty-three, ten thousand dollars.

Northwestern Bands of Shoshonees. — For third of twenty instalments, to be expended under the direction of the President, in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per third article treaty July thirtieth, eighteen hundred and sixty-three, five thousand dollars.

Goship Bands of Shoshonees. — For third of twenty instalments, to be expended under the direction of the President, in the purchase of such articles, including cattle for herding, or other purposes, as he shall deem suitable for their wants and condition, either as huntsmen or herdsmen, per seventh article treaty October second [twelfth], eighteen hundred and sixty-three, one thousand dollars.

Creek Nation. — For interest on two hundred thousand dollars, at five per centum per annum, as permanent annuity to be paid them in money, or for such mechanical labor or useful articles as the Secretary of the Interior may from time to time direct, per second article treaty September third, eighteen hundred and sixty-three, as amended by Senate, ten thousand dollars.

For payment of third of five instalments, to be expended for their benefit in the purchase of stock, horses, sheep, clothing, and such other articles as the Secretary of the Interior, with the council of said nation, may direct, per fourth article treaty September third, eighteen hundred and sixty-three, as amended by Senate, forty thousand dollars.

For the third of ten instalments for the purchase of goods, under the direction of the Secretary of the Interior, per eighth article treaty of October seventh, eighteen hundred and sixty-three, and Senate amendment of March twenty-fifth, eighteen hundred and sixty-four, ten thousand dollars.

For the third of five instalments, to be applied for the purposes of agriculture, and for the purchase of farming utensils and stock animals, per tenth article treaty October second, eighteen hundred and sixty-three, and Senate amendment thereto, ten thousand dollars.
For the third of ten instalments for the purchase of provisions, under the direction of the Secretary of the Interior, per eighth article treaty October seventh, eighteen hundred and sixty-three, and Senate amendment thereto, ten thousand dollars.

For insurance, transportation, and general incidental expenses of the delivery of goods, provisions, and stock, five thousand dollars.

Chippewas of the Mississippi, Pillagers, and Lake Winnebagoish Bands of Chippewa Indians in Minnesota. — For third of ten instalments to furnish said Indians with ten yoke of good work oxen, twenty log-chains, two hundred grubbing hoes, ten ploughs, ten grindstones, one hundred axes, handled, twenty spades, and other farming implements, per fifth article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand five hundred dollars.

For the employment of two carpenters, one thousand eight hundred dollars, and two blacksmiths, one thousand eight hundred dollars; four farm laborers, two thousand four hundred dollars; one physician, one thousand two hundred dollars, and medicine for the sick, five hundred dollars, per fifth article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, seven thousand seven hundred dollars.

For this amount to be applied towards the support of a saw-mill to be built for the common use of the Chippewas of Mississippi and the Red Lake and Pembina bands of Chippewas, so long as the President may deem it necessary, per sixth article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand dollars.

For pay of services and travelling expenses of a board of visitors, to consist of not more than five persons, to attend the annuity payments to the Indians, and so forth, and to inspect the fields, buildings, mills, and other improvements, as stipulated in the seventh article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, six hundred and fifty dollars.

For the payment of female teachers employed on the reservations to instruct Indian girls in domestic economy, per thirteenth article treaty May seventh, eighteen hundred and sixty-four, one thousand dollars.

Minneconjon Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, per fourth article of treaty of October tenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, ten thousand dollars.

Lower Brule Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, per fourth article of treaty of October fourteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, six thousand dollars.

Blackfoot Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, seven thousand dollars.

Two Kettles' Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, six thousand dollars.
For this sum, to be paid the widow and children of Ish-tah-chan-ne-ah, under the direction of the Secretary of the Interior, as per sixth article of treaty of October nineteenth, eighteen hundred and sixty-five, five hundred dollars.

For this sum, being for indemnity, to be paid under the direction of the Secretary of the Interior, as per sixth article of the treaty of October nineteenth, eighteen hundred and sixty-five, five hundred dollars.

Onk-pah-pah Band of Dakota or Sioux. — For first of twenty instalments, being thirty dollars for each lodge or family, (three hundred lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, three thousand two hundred dollars.

Sans Arcs Band of Dakota or Sioux. — For first of twenty instalments, being thirty dollars for each lodge of [or] family, (two hundred and eighty lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred an sixty-five, eight thousand four hundred dollars.

Yanktonai Band of Dakota or Sioux. — For first of twenty instalments, being thirty dollars for each lodge of [or] family, (three hundred and fifty lodges) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, ten thousand dollars.

Upper Yanktonai Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred and sixty-five, ten thousand dollars.

O' Gallala Band of Dakota or Sioux Indians. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred and sixty-five, ten thousand dollars.

Dakota or Sioux. — For expense of transporting and delivering articles furnished for Indians on the upper Missouri River, parties to treaties made at Fort Sully in October, eighteen hundred and sixty-five, twenty thousand dollars.

Bois Fort Band of Chippewas [Indians.] — To enable the President of the United States to set apart a reservation for the Bois Fort band of Chippewa Indians, as provided in article third, treaty of April seventh, eighteen hundred and sixty-six, one thousand dollars.

For the erection of one blacksmith shop, as per third article treaty of April seventh, eighteen hundred and sixty-six, five hundred dollars.

For the erection of a school-house, as per third article treaty of April seventh, eighteen hundred and sixty-six, five hundred dollars.

For the erection of eight houses for chiefs, as per third article treaty of April seventh, eighteen hundred and sixty-six, three thousand two hundred dollars.

For the erection of an agency building and storehouse, as per third article treaty of April seventh, eighteen hundred and sixty-six, three thousand two hundred dollars.

For first of twenty instalments, for the support of one blacksmith and assistant, and for tools, iron, and steel, and other articles necessary for the blacksmith shop, as per third article treaty of April seventh, eighteen hundred and sixty-six, five hundred dollars.

For first of twenty instalments, for the support of one school teacher,
and for necessary books and stationery, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, eight hundred dollars.

For first of twenty installments for the instruction of the Indians in farming, and purchase of seeds, tools, and so forth, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, eight hundred dollars.

For first of twenty installments of annuity in money, to be paid per capita, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, three thousand five hundred dollars.

For first of twenty installments of annuity in provisions, ammunition, and tobacco, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, twelve hundred dollars.

To enable the chiefs, headmen, and warriors to establish their people upon the new reservation, and to purchase useful articles and presents, as per fourth article treaty of April seventh, eighteen hundred and sixty-six, and Senate amendment thereto, thirty thousand dollars.

To pay necessary transportation and subsistence of the delegates who visited Washington for the purpose of negotiating treaty, as per eighth article treaty of April seventh, eighteen hundred and sixty-six, twenty thousand dollars.

For transportation and necessary cost of delivery of annuity goods and provisions to the Bois Fort band of Chippewa Indians, as per sixth article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand five hundred dollars.

Tabequache band of Utah Indians. — For building a blacksmith shop for the Tabequache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, five hundred dollars.

For the purchase of iron and steel and necessary tools for said shop, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-five, two hundred and twenty dollars.

For the purchase of iron, steel, and necessary tools for said shop, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, two hundred and twenty dollars.

For the purchase of iron, steel, and necessary tools for said shop, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, two hundred and twenty dollars.

For pay of blacksmith and assistant for the Tabequache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-five, one thousand one hundred dollars.

For pay of blacksmith and assistant for the Tabequache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, one thousand one hundred dollars.

For pay of blacksmith and assistant for the Tabequache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand one hundred dollars.
Arapaho and Cheyenne Indians of the Upper Arkansas River. — For reimbursing members of the bands of Arapaho and Cheyenne Indians who suffered at Sand Creek, November twenty-ninth, eighteen hundred and sixty-four, to be paid in United States securities, animals, goods, provisions, or such other useful articles as the Secretary of the Interior may direct, as per sixth article treaty of October fourteenth, eighteen hundred and sixty-five, thirty-nine thousand and fifty dollars.

For first of forty instalments, to be expended in such manner and for such purposes as the Secretary of the Interior may direct, being an amount equal to twenty dollars per capita for two thousand eight hundred persons, the number agreed upon for the present year, as per seventh article treaty of October fourteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth eighteen hundred and sixty-seven, fifty-six thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Arapaho and Cheyenne Indians of the Upper Arkansas River, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, twenty thousand dollars.

Camanches and Kioways. — For first of forty instalments, to be expended under the direction of the Secretary of the Interior, being an amount equal to ten dollars per capita for four thousand persons, the number agreed upon for the present year, as per fifth article treaty of October eighteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, forty thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Camanche and Kioway Indians, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, eight thousand dollars.

Apaches. — For first of forty instalments, to be expended under the direction of the Secretary of the Interior, for the Apache Indians, being an amount equal to twenty dollars per capita for eight hundred persons, as per second article treaty of October seventeenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, sixteen thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Apache Indians for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, three thousand five hundred dollars.

Omahas. — For this sum, to be expended by their agent, under the direction of the commissioner of Indian affairs, for goods, provisions, cattle, horses, construction of buildings, farming implements, breaking of lands, and other improvements on their reservation, as per second article of treaty of March sixth, eighteen hundred and sixty-five, fifty thousand dollars.

For this sum to be paid as damages, in consequence of the occupancy of a portion of the Omaha reservation and use and destruction of timber by the Winnebago tribe of Indians, as per third article of treaty of March sixth, eighteen hundred and sixty-five, seven thousand dollars.

For keeping in repair a grist and saw mill, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, three hundred dollars.

For pay of one engineer and assistant, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand eight hundred dollars.

For pay of one miller and assistant, as per eighth article of treaty of
March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand two hundred dollars.

For pay of farmer, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, nine hundred dollars.

For pay of blacksmith and assistants, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand two hundred dollars.

For support of blacksmith shop and supplying tools for the same, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, three hundred dollars.

Yakama Nation.—For second instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article of treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For third instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For fourth instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For fifth instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For sixth instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For seventh instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

Klamath and Modoc Indians.—For first of five annual instalments, to be applied under direction of the President, as per second article treaty of October fourteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, eight thousand dollars.

For this amount to pay for such articles as may be advanced the Indians at the time of signing the treaty, and to subsist them during the first year after their removal to the reservation, the purchase of teams, farming implements, seeds, tools, clothing, and provisions, and salary of the necessary employés, as per third article treaty of October fourteenth, eighteen hundred and sixty-four, thirty-five thousand dollars.

For the erection of one saw-mill, one flouring-mill, buildings for the blacksmith, carpenter, and wagon and plough maker, the necessary buildings for one manual-labor school, and for hospital buildings, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four, eleven thousand three hundred dollars.

For the purchase of tools and material for saw and flour mills, carpenter,
blacksmith, wagon and plough makers' shops, and books and stationery for
the manual-labor school, as per fourth article treaty of October fourteenth,
eighteen hundred and sixty-four, for the fiscal year ending June thirty,
eighteen hundred and sixty-seven, one thousand five hundred dollars.

For first of fifteen instalments to pay salary and subsistence of one
superintendent of farming, one farmer, one blacksmith, one Sawyer, one
carpenter, and one wagon and plough maker, as per fifth article treaty of
October fourteenth, eighteen hundred and sixty-four, for the fiscal year
ending June thirtieth, eighteen hundred and sixty-seven, six thousand
dollars.

For first of twenty instalments to pay salary and subsistence of one
physician, one miller, and two school teachers, as per fifth article treaty of
October fourteenth, eighteen hundred and sixty-four, for the fiscal
year ending June thirtieth, eighteen hundred and sixty-seven, three thou-
sand six hundred dollars.

For the erection of agency buildings, four thousand dollars.

Miscellaneous. — For insurance and transportation of annuity goods
and provisions to the Flathead Indians for the fiscal year ending June
thirtieth, eighteen hundred and sixty-seven, per fifth article treaty July
sixteenth, eighteen hundred and fifty-five, eleven thousand nine hundred
and twenty dollars and forty-one cents.

Indian Service in New Mexico.—For general incidental expenses of
the Indian service in New Mexico, presents of goods, agricultural imple-
ments, and other useful articles, and to assist them to locate in per-
manent abodes, and sustain themselves by the pursuits of civilized
life, to be expended under the direction of the Secretary of the Interior,
fifty thousand dollars.

Indian Service in the District of Country leased from the Choctaws
for the Indians lately residing in Texas.—For the expenses of colonizing,
supporting, and furnishing agricultural implements and stock, pay of
necessary employees, purchasing clothing, medicine, iron, and steel,
maintenance of schools for Indians lately residing in Texas, to be expend-
ed under direction of the Secretary of the Interior, twenty-two thou-
sand eight hundred and twenty-five dollars.

Wichitas, &c.—For the expenses of colonizing, supporting, and furnishing said bands with agricultural imple-
ments and stock, pay of necessary employees, purchase of clothing,
medicines, iron, and steel, and maintenance of schools, to be expended
under the direction of the Secretary of the Interior, thirty-seven thou-
sand eight hundred dollars.

Miscellaneous.—For the general incidental expenses of the Indian
service in California, including travelling expenses of the superintending
agents, seven thousand five hundred dollars.

For the purchase of cattle for beef and milk, together with clothing
and food, teams and farming tools for Indians in California, fifty-five
thousand dollars.

For insurance, transportation, and necessary expenses of the delivery
of annuities and provisions to the Indian tribes in Minnesota and Michi-
gan, twenty thousand three hundred and fifty dollars and sixty-two cents.

For insurance, transportation, and necessary expenses of the delivery
of Pawnee, Ponca, and Yanetont Sioux annuity goods and provisions,
ten thousand dollars.

For expenses attending the vaccination of Indians, two thousand five
dollars.

For the general incidental expenses of the Indian service in Oregon
and Washington Territory, including insurance and transportation of annu-
ty goods and presents, (where no special provision therefor is made by
treaties,) and office and travelling expenses of the superintendent and sub-
agents, thirty-five thousand five hundred dollars.
For defraying the expenses of the removal and subsistence of Indians in Oregon and Washington Territory, (not parties to any treaty,) and for pay of necessary employes, fifty thousand dollars.

**Indian Service in Nevada.** — For the general incidental expenses of the Indian service in Nevada, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

**Indian Service in Utah Territory.** — For the general incidental expenses of the Indian service in Utah Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

**Indian Service in Colorado Territory.** — For the general incidental expenses of the Indian service in Colorado Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

**Indian Service in Idaho Territory.** — For the general incidental expenses of the Indian service in Idaho Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

**Indian Service in the Territory of Arizona.** — For the general incidental expenses of the Indian service in the Territory of Arizona, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

**Indian Service in Montana Territory.** — For the general incidental expenses of the Indian service in Montana Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

**California.** — For pay of one physician, one blacksmith, one assistant blacksmith, one farmer, one carpenter, upon each of the four reservations
in California, at the rate of fifty dollars per month, twelve thousand dollars.

Indian Service in Dakota Territory. — For the general incidental expenses of the Indian service in Dakota Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

For the transportation and necessary expenses of delivery of provisions to the Indians within the Utah superintendency, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, twenty-two thousand five hundred dollars.

For salary of a special agent to take charge of Winnebago and Potawatamie Indians now in the State of Wisconsin, one thousand five hundred dollars.

SEC. 2. And be it further enacted, That no funds belonging to any Indian tribe with which treaty relations exist shall be applied in any manner not authorized by such treaty, or by express provisions of law, nor shall money appropriated to execute a treaty be transferred or applied to any other purpose, unless expressly authorized by law.

SEC. 3. And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of five hundred thousand dollars for the payment of supplies already furnished to the destitute Indians of the Southern superintendency, for removing them to their homes, and for relieving such destitute persons among said Indians as are in actual want and suffering: Provided, That no part of the money hereby appropriated shall be paid until a full examination shall be made by the Secretary of the Interior and the first comptroller of the treasury, and they shall ascertain that the money is justly and equitably due under contracts made and executed in entire good faith and for necessary supplies actually delivered to the Indians as aforesaid, at reasonable prices; and for this purpose the comptroller is hereby authorized to take testimony and state the amount due said contractors upon principles of equity; and no money shall be paid or allowed on account of supplies furnished after the passage of this act.

SEC. 4. And be it further enacted, That any loyal person, a citizen of the United States, of good moral character, shall be permitted to trade with any Indian tribe upon giving bond to the United States in the penal sum of not less than five nor more than ten thousand dollars, with at least two good securities, to be approved by the superintendent of the district within which such person proposes to trade, or by the United States district judge or district attorney for the district in which the obligor resides, renewable each year, conditioned that such person will faithfully observe all the laws and regulations made for the government of trade and intercourse with Indian tribes, and in no respect violate the same: Provided, That the laws now in force regulating trade and intercourse with Indian tribes, affecting licensed traders, and prescribing the powers and duties of the commissioner of Indian affairs, superintendents, agents, and sub-agents in connection therewith, shall be continued in force and apply to traders under this provision, except as herein otherwise provided.

APPROVED, July 26, 1866.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 267. 1866.

From Wilton, via Bean's Corner, to North Chesterville.
From Flag-Staff to Eustis Mills.
From Hollis to Dayton.
From Brunswick to West Harpswell.
From Porter, via North Porter, Cram's Mills, and Goshen Seminary, to Conway Centre, in New Hampshire.

VERMONT.
From West Alburgh to Champlain, New York.

NEW YORK.
From Rochester to Chili Centre, Monroe County.
From Lyon's Falls to Carthage.
From Sherburne, via Columbus, New Berlin, and Oneonta, to Albany.
From Schurman, Otsego County, via Furgusonville, Davenport, and West Kortright, to Bloomville, Delaware County.
From Morris, Otsego County, via New Berlin, Chenango County, to Norwich.
From Delhi, via Elk Creek, Hartwright, and Charlotte Creeks, Meredith and Davenport, to Oneonta, Otsego County.
From Unadilla to Oxford.
From Norwich to Sidney Plains.
From Lockport, Niagara County, via Corners and Maple Street, to Wilson.
From Norwich to Morris.
From North Petersburg Station, via Petersburg, Four Corners, and Petersburg, to South Petersburg.
From Smyrna, via Sherburn, Columbus, and New Berlin, to Oneonta.
From Bainbridge, via Guilford and Oxford, to Norwich.
From Plymouth, via Beaver Meadow, to South Osticke.
From Russell, via Monterey and Clifton Iron Works, to Harewood.
From Oxford to Unadilla.
From Crown Point Centre, via Hammonds Furnace, to Schroon Lake.
From Holland Patent to Big Brook, Oneida County, by way of Steuben.

PENNSYLVANIA.
From West Chester to Downingtown.
From Pottsville to Shenandoah.
From Lincolnville to Miller's Station.
From Oldforge to Factoryville.
From Johnstown to Shade Gap.
From Gordonsville to Intercourse.
From Westminster to Southampton.
From Mount Union, via Liz's store, to Mount Tare factory.
From Quakertown, via Milford Square, Spinnerstown, and Gory's, to Pennsburg.
From Farmington to Brandonville, Virginia.
From Barry's to Weishampeltown.
From Oil City, via Oleopolis, to Pithole.
From Sartwell, McKean County, to Forrest House, Potter County.
From Erie, via Wattsburg, to Union Mills.
From Tionesta, in Venango County, to Foxborough, in Forrest County.
From West Decatur, via Clearfield Bridge, to Curwensville.
From Germany to Warren.
From Stevens, via Schoen Creek, and Reinholds ville, to Cocalico, and return to Stevens, via Schoeneck.
Post routes in Pennsylvania.

From Leopard to Reesville.
From Downingtown, via Brooklyn, Comog, Moorestown Station, and Barnestown Station, to Waynesburg.
From New Bloomfield to Mannsville.
From Ridgway to Shawmut.
From Cove Station, Huntington County, to Martinsburg, Blair County.
From Three Springs to Mount Union, in Huntington County.
From West Chester, via McCall's Boot Road Station, to West Chester intersection.
From Bethel, via Crosskill Mills, and Mount Aetna, in County of Berks, to Myerstown in the County of Lebanon, State of Pennsylvania.

MARYLAND.

From Dublin to Rising Sun.
From Ellicott's Mills to Brightown.

DELAWARE.

From Wyoming, via Lebanon, to Magnolia.

WEST VIRGINIA.

From Flemington, Tailor County, via Fairview, Noah Smith’s, and Fairfield, to Maxwell’s Mills.
From Arnoldsburg to Webb’s Mills.
From Elm Grove to Dallas.
From Grafton to Belington.
From Mount Hebron to Mouth of Seneca.
From Franklin to Mount Freedom.
From Saint Mary’s to Hebron.

OHIO.

From Logan to East Rush Creek.
From Sparta to Middletown.
From Mount Vernon, via Sparta, Marengo, Macon, and Bennington, to Ashley.
From Beverly, via Dunganon and Kuths, to Sharon.
From Salem to Carrollton.
From Hamden, via Eagle Furnace, Wilkersville, Ewington, Vinton, and Pine Grove, to Gallipolis.
From Ripley to Bradysville.
From Carrollton, by way of Cabell, Augusta, Maysville, Hanoverton to Salem.

INDIANA.

From Mechanicsburg to Middletown.
From Rockville to Covington.
From Jervis, via Hamilton, Alverdale, Metz, Fish Creek, and York Centre, to Camden, in Michigan.
From Augusta Station, via Traders’ Point, to Royalton.
From Fairland, via Cyrenius Bishops, Roseburgs, Fountaintown, and Smiths, to Greenfield.
From Philadelphia to New Palestine and Sugar Creek.
From Covington to State Line, in Warren County.
From Jasper to Lynnville.
From Milroy to Greensburg.
From Fort Wayne, via Saint Vincent, and Oil Ridge, to Auburn.

ILLINOIS.

From Princeton to Walnut.
From Antioch, via Liberty, to Salem, in Kenosha County, Wisconsin.
From Edwardsville to Troy.
From Blackberry to Hustling's Station.
From Dunleath, via Fairplay, Jamestown, Big Ruthe, and Swetzer's Grove, to Patterville, in Wisconsin.
From Lancaster, via Ampton, to New California, in Grant County, Wisconsin.
From Cedar Bluff, via Mount Pleasant, to Mosco.
From Manchester, via Winchester, to Florence.
From McLeansboro, via Belle Prairie, Long Prairie, and Keeneville, to Henia.
From Chili to Bowensburg.
From Gardner, via Mazon, Highland, Vienna, and Bruce, to Tonica.
From Bedford to Pearl.
From Virders to Taylorsville.
From Danville to Reesville.
From Pilot Grove to Denham.
From Decatur to Newburg.
From McLeansboro, via Buck, to Fairfield.
From Louisville to Henia.
From Teutopolis to Veni.
From Webb's Prairie, via Henning's Store, to Moore's Prairie.
From Florence, Illinois, by Winchester, to Manchester.

MICHIGAN.

From Pontiac to Rochester.
From Bristol, in Indiana, via Union, Osburn's Mills, and Brownsville, to Cassopolis, in Cass County, Michigan.
From Buchanan, via Wesaw and New Troy, to Laketown.
From Decatur, via Prospect Lake, to Lawrence.
From Easton Rapids, via Spicersville, Brookfield, and Walton, to Olivet.
From Niles, via Berrien Centre, Eau Claire, Pipestone, Sohus, and Benton Harbor, to Saint Joseph.
From Holly to New Hudson.
From Vermontville to Barryville.
From Sylvania, Lucas County, Ohio, to Whitesford Centre, Michigan.
From Big Rapids, Mecosta County, via Roger's Bridge, Satterley's Mill, and Cato, to Stanton, in Montcalm County.
From Stanton to Mill Brook.
From Ionia, via Smyrna, to Greenville.
From Newaygo to Mears.
From Holland, via Zeeland, Wiesland, and Jamestown, to Grand Rapids.
From Manistee to Stronach.
From Newaygo, via Fremont Centre, Greenwood, and Elbridge, to Pent Water.
From Croton to Traverse City.
From Newaygo, via Bridgeton, to Minkeyes.
From Pontiac, via Rochester and Mount Vernon, to Romeo.
From Paw Paw, via New State Road, to Allegan.
From Allison to Newman.
From Coldwater, via Orangeville and Union City, to Athens.
From Stanton to Mount Pleasant.

MISSOURI.

From Brunswick, via Brookfield, Northcut, Milan, and Unionville, to Centerville, in Iowa.
From Keytesville, via Bucklin, Strickerville, Greencastle, and Unionville, to Centerville, in Iowa.
From Jefferson to Louisiana.
From Unionville, Putnam County, via Greencastle, and Strickerville, to Pennville, thence via New Boston, Buckland, to Hannibal and Saint Joseph Railroad.
From Patterson to Doniphan.
From Quincy to Stockton.
From Savannah, via Maryville, Bedford, and Afton, to Winterset, in Iowa.
From Saint Joseph, via Rochester, Albany, Eagle, Leon, Osceola, Indiana, to Des Moines, in Iowa.
From Hamilton, via Gallatin, Salem, and Bethany, to Eagle.
From Chillicothe, via Trenton and Princeton, to Leon, in Iowa.
From Brunswick, via Compton's Ferry, to Chillicothe.
From Bucklin, via New Boston, Pleasantville; Birdseye Bridge, Greencastle, to Cincinnati and Centerville, Iowa.
From Trenton, via Buttsville, Modena, and Burr Oak, to Mine [Nine] Eagles.
From Pattonsburg to Albany.
From Forest City, via Rush Bottom, Lowell, Hemmes Landing, Sonora, and Linden Landing, to Sidney, in Iowa.
From Princeton, via Ravenna, Cleopatra, and Warsaw, to Corydon, in Iowa.
From Fort Scott to Neosho.
From Sedalia, via Calhoun, Clinton, Osceola, Humansville, Stockton, Greenfield, Bowers's Mills, Sarcoxie, Newtonia, and Granby, to Neosho.
From Perryville to Buhle's Store.
From Bloomfield to Kennett.
From Beech to Fourmile.
From Glasgow, via Salisbury, to Callao.
From Gallatin to Leon, Iowa.
From Bethany, via Cameron, to Kansas City.
From Pleasant Hill, via Aubery, in Kansas, Paola, and Staunton, to Ottawa.
From Pleasant Hill, via Bloomington to Mound City, Kansas.
From Harmony to Potosi.
From Terre Haute, in Missouri, via Ayersville and Warsaw, to Corydon, in Iowa.

MINNESOTA.

From Dunleath to Vermillion Lake.
From Forest City, via Kimball's Prairie and Maine Prairie, to Saint Cloud.
From Monticello, via Buffalo, Chatham, and Waverly, to Middleville.
From Monticello, via Silver Creek and Corinna, to Fair Haven.
From La Morille, via Pickwick and S. C. Dick's, to La Crescent.
From Shakopee to Excelsior.
From Mantorville, by Vernon, Waltham, and Mower City, to Austin.
From Buffalo, by Maple Lake, to Fair Haven.
From Saint Charles to Quincy.
From La Suer to Cordova.
From Rushford to Preston.
From Chaska to Saint Boniface.
From West Albany, via Read's Ford, to Forest Mound.
From Wabasha to Forest Mound.
From Pedler's Grove to Garden City.
From Red Wing, via Mazeppa, to Rochester.
From Minneaska, via East Indian Creek and Read's Ford, to Mazeppa.
From Buffalo, via Maple Lake, to Fair Haven.

IOWA.

From Blakesburg to Moravia.
From Des Moines to New Jefferson.
From Sigourney to Askolosha.
From Towden, via Oxford Mills and Scotch Grove, to Monticello.
From Helena R. R. Station, via Eureka and Kent's Ridge, to Brooklyn.
From Dennison to Magnolia.
From Des Moines to Saint Joseph, Missouri.
From Fort Dodge, via Dakota, Wacosta, Fern Valley, and Emmetsburg, to Estherville.
From Newbury, via Hartland and Bristol, to Northwood.
From Northwood to Mason City.
From Northwood, via Gordonville and Shellrock, to Albert Lea, in Minnesota.
From Burlington, via Toolesboro, to Port Louisa.
From Oseola, via La Salle, to Hopeville.
From Burlington, via Port Louisa and Grandview, to Ononion.
From Vernon, via Mount Sterling and Upton, to Memphis.
From Rockford, via Rock Grove City, Nora Springs, Shell Rock Falls, and Plymouth, to Northwood.
From Boonsboro, via Dennison, Paradise, Olmstead, and Whitesboro, to Saint John.
From Guttenburg, via Elkport and Littleport, to Strawberry Point.
From Nevada, via Iowa Centre, Peoria, and Greencastle, to Colfax.
From Grundy Centre, via Parkersburg, Butler Centre, West Point, and Coldwater, to Marble Rock.
From Wheatland, via Toronto and Burgess, to Monmouth.
From Webster to Luni.
From Sigourney to Montezuma.
From Iona to New Hartford.
From Winterset to Fort Des Moines.
From Postville, via Sybrand [Lybrand] and Ludlow, to Waukon.
From West Union, via Fredericksburg, Williamstown, and Bradford, to Nashua.
From Centreville, via Cincinnati, Unionville, Penuville, Greencastle, Birdseye Ridge, Pleasantville, New Boston, Bucklin, Westville, to Keitsville.
From Osawa to Section Eight, township eighty-five.
From Des Moines, via Hickory Grove, Palestine, Ames, Blinkson, and Saratoga, to Webster City.
From Winterset, via Afton, Bedford, and Maryville, to Savannah, in Missouri.
From Postville to Waukon.
From Panora, via Dale City, to Fontanelle.
From Des Moines, via Pilot Grove and Macksville, to Lewis.
From Algona, via Armstrong's Grove and Mud Lakes, to Esthersville.
From Parkersburg to Marble Rock.
From Marion to Winthrop.
From Eldoria, via Point Pleasant, to Tipton.
From Recerille, via Wentworth, to Le Roy, in Minnesota.
From Des Moines, via Charlton, Corydon, and Linersville, to Chillicothe, in Missouri.
Post routes in
Iowa.

From Postville to Wanken.
From Lewis, via Red Oak Junction, to Sidney.
From Vernon to Memphis, Missouri.
From Germanville to Coalport.
From Grinnell to New Hartford.
From Homestead to Little City.
From Marshalltown, via Timber Creek and College Farm, to Newton.
From New Oregon to Austin, Minnesota.
From Clio to Iowa Centre.
From Pottsville to Wanken.
From New Oregon, via Vernon Springs, Line Springs, Glen Rock, and Eatonville, in Iowa, and La Roy, in Minnesota, to Austin, Minnesota.
From Brighton, via Germanville, Salina, to Glendale.
From Menomonee, via Mill Spring and Plumb city, to Maiden Rock.
From Ettrick to Mehone.
From Richland Centre, via Boaz, Bradley, Yankee town, Rising Sun, and Alexander’s Mills, to De Sota.
From Princeton, via Germania, to Montello.
From Pella to Shawnee.
From Woodman, via Millville, Mount Hope, and Tafton, to Beetown.
From Port Washington to Wabasca.
From Maysville to Theresa.
From Trempealeau, via Arcadia, Burnside, and Hale, to Sumner.
From Friendship, via Arcade, to Barnum.
From Manston to Warner.
From River Falls to Brookville.
From Melrose to Sparta.
From Alma to Durana.
From White Creek, via Easton, Arcade, Woodworth, and Point Basel, to Plover.
From Denison to Ida.

WISCONSIN.

From Dunleith, Illinois, to Platteville, Wisconsin.
From Woodman, by Millville, Mount Hope, and Tayton, to Beetown.
From Richland Centre, by Boaz, Brady’s Rowes, Yanktown, Towerville, Rising Sun, and Alexander’s Mill, to De Sota.
From Wilson’s Creek, by Black Hawk, to Sauk City.

CALIFORNIA.

From San Buenaventura, via Ojai, to Camulas.
From Oisalia, via Fort Tejon, to Bakersfield.
From Red Bluff, via Nome Lackee, to Coast Range.
From Cloverdale, via Uncle Sam, Lower Lake, and Lake Port, to Upper Lake.
From Susanville to Taylorsville.
From Fort Bidwell to Susanville.
From Fort Bidwell to Pueblo.
From Taylorville to Carner Place.
From Chico to Colusa.
From Colusa, via Antelope Valley, Bear Valley, and Sulphur Springs, to Lakeport.
From Oak Creek to Independence.
From Suisan City, Solano County, via Gordon Valley, Rag Cannon, and Berryessa Valley, to Lower Lake, in Lake County.
From Smith’s Ranch, via Caffey’s Cave, Casper Creek Mills, Noyo Mills, Ten Mile River, Bear Harbor, Shelter Cove, and Upper Mattole, to Lower Mattole.
KENTUCKY.
From Horse Kane to Bucksville.
From Augusta, via Brookville, Powersville, Petra, Milford, to Claysville.
From Richmond to Lexington.
From Irvine to McKee.
From Cattlesburg, via Canonsburg, Botta Fork, Sulphur Spring, and Cherokee, to Blair.
From Somerset to Knorville.
From Beattysville to Thompsonville.

MONTANA TERRITORY.
From Virginia City, via Formans, Fosters, and Boreman's City, to Yellowstone City.
From Crossing of Gallatin at Foster's farm, to Gallatin City.

WASHINGTON TERRITORY.
From Seattle, via Tree Posts, Pass Blakeley, to Pass Orchard.

DAKOTA TERRITORY.
From Fort Randall to Fort Sully.
From Sioux Falls to Ponca.
From Fort Wadsworth to Devil’s Lake.

OREGON.
From Dallas City, via Selilo, Umatilla, Wallula, to Walla-Walla.

UTAH TERRITORY.
From Logan to Dexton.
From Huntsville to Bennington.
From Logan to Oxford.
From Nephi to Saint George, via Severe Valley and Fort Gunnison.

KANSAS.
From Paoli, via Miami, Madora, to Blooming Grove.
From Humboldt, via Coonville, Lightning Creek Valley, Chetopah, Cabin Creek, Alburdes, to Fort Gibson.
From Ottawa to Mound City.
From Cottonwood Falls to Lincolnville.
From Wathena, via Columbus, to Iowa City Point.

NEVADA.
From West Gate to Ione.
From Austin to Unionville.
From Austin, via Pahranagat and Callville, to Fort Mojave.

NEW JERSEY.
From Woodmansee to Mannahawkin.

NEBRASKA TERRITORY.
From Dakota City to Yancton, in Dakota Territory.
From Plattsmouth to Columbus.
From Ponca to Fremont.
From Saint John's, Iowa, via De Soto and Fontanelle, Nebraska, to Buchanan, Nebraska.
Post routes in Nebraska Territory.
From Brownsville to Table Rock, Nebraska.
From Brownsville to Grant, Nebraska.
From Fremont, via Jalappa, Saint Charles, Greenwood, West Point, and Rock Creek, to South Fork of Elk Horn.

Idaho Territory.
From Idaho City to Rocky Bar.
From Ruby City, via Pueblo Valley, to Chico, in California.
From Ruby City to Jacksonville, in Oregon.
From Placerville, via Warren’s Diggings to Florence.
From Boise City, via Old Fort Boise, to Clancyon City, in Oregon.
From Idaho City to Silver City.

Montana Territory.
From Helena to Wallula.
From Wallula to Seattle.
From Kalumiche to Elma.
From Jefferson Crossing, via Silver Prow City and Deer Lodge City, to Blackfoot.
From Helena to Diamond City.
From Helena, via Blackfoot, to Hell Gate.
From Virginia City, via Sterling and Garfield, to Gallatin City.
From Gallatin City to Boreman.
From Helena, via Dearborn and Sun River Farm, to Fort Benton.
From Diamond City to Fort Benton.
From Junction, via on Salt Lake Road, via Cui Off, to Virginia City.
From Hell Gate to Flat Head.
From Virginia City, to Fort Sully, in Dakota Territory.
From Helena, via Fort Laramie and Fort Reno, to New Fort Kearney, in Nebraska Territory.
From Helena to Blackfoot City.
From Bannock City, via German Gulch, to French Gulch.
From Bannock City to Montana City, on Rattlesnake Creek.
From Virginia City, via Silver Bow, Deer Lodge City, and Hell Gate, to Fort Owens, in Bitter Root Valley.

Dakota Territory.
From Panca Agency to Chateau.
From Fort Sully to Virginia City, in Montana Territory.

Indian Territory.
From Fort Gibson, via Creek Agency, to Seminole Agency.

APPROVED, July 26, 1866.

July 26, 1866.
CHAP. CCLXVIII. — An Act in Relation to the Appointment of Clerks to the Courts of Washington Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each judge of the district court shall appoint a clerk for each court in his district, who shall reside and keep his office at the place of holding said court, and exercise the powers now provided by law for the clerk of the supreme court of the Territory of Washington, and be subject to all provisions of law, not inconsistent with this act, applicable to the clerk of said supreme court.

APPROVED, July 26, 1866.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon all weighable articles hereafter exported, upon which a drawback or return duty is allowed, and upon all weighable goods withdrawn from bonded ware- houses for export, there shall be levied and collected, by the collectors of the several ports, three cents per hundred pounds, to be determined by the returns of the weighers.

SEC. 2. And be it further enacted, That the office of measurer at the port of New York is hereby abolished, and the duties hereof performed by them shall be performed by the weighers.

SEC. 3. And be it further enacted, That the weighers at the port of New York shall receive, from and after the passage of this act, an annual salary of twenty-five hundred dollars: Provided, That the increase of compensation, over and above the present salary of said officers, shall not exceed, in any fiscal year, the amount of fees earned by them.

APPROVED, July 26, 1866.

CHAP. CCX.—An Act granting Lands to the State of Kansas to aid in the Construction of a southern Branch of the Union Pacific Railway and Telegraph, from Fort Riley, Kansas, to Fort Smith, Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of aiding the Union Pacific Railroad Company, southern branch, the same being a corporation organized under the laws of the State of Kansas to construct and operate a railroad from Fort Riley, Kansas, or near said military reservation, thence down the valley of the Neosho River to the southern line of the State of Kansas, with a view to an extension of the same through a portion of the Indian Territory to Fort Smith, Arkansas, there is hereby granted to the State of Kansas, for the use and benefit of said railroad company every alternate section of land or parts thereof designated by odd numbers, to the extent of five alternate sections per mile on each side of said road and not exceeding in all ten sections per mile; but in case it shall appear that the United States have, when the line of said road is definitely located, sold any section, or any part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected for the purposes aforesaid, from the public lands of the United States nearest to the sections above specified, so much land as shall be equal to the amount of such lands as the United States have sold, reserved, or otherwise appropriated, or to which the right of homestead settlement or pre-emption has attached as aforesaid, which lands, thus indicated by the direction of the Secretary of the Interior, shall be reserved and held for the State of Kansas for the use of said company by the said Secretary for the purpose of the construction and operation of said railroad, as provided by this act: Provided, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement or other purpose whatever, be, and the same are hereby, reserved and excepted from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands, in which case the right of way, two hundred feet in width, is hereby granted, subject to the approval of the President of the United States: And provided, further, That said lands hereby granted shall not be selected beyond twenty miles from the line of said road.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 270. 1866.

SEC. 2. And be it further enacted, That the sections and parts of sections of land which by the aforesaid grant shall remain in the United States, within ten miles on each side of said road, shall not be sold for less than double the minimum price. 

Settlers under pre-emption laws, under the homestead act.

Conditions of this grant.

Granted lands to inure to benefit of company as follows.

If road is not completed in ten years, unpatented lands to revert.

When maps of route of road are filed, lands to be withdrawn from market.

United States mail to be carried.

Right of way through public lands granted for the railroad.

Materials for construction.

Extent of grant of right of way. Grounds for stations, &c.

Acceptance of terms, &c. of this act to be in writing within one year.

SEC. 3. And be it further enacted, That the grant of lands hereby made is upon condition that said company, after the construction of its road, shall keep it in repair and use, and shall at all times transport troops, munitions of war, supplies, and public stores upon its road for the government of the United States, free from all cost or charge thereof to the government, when required to do so by any department thereof. And the lands hereby granted shall inure to the benefit of said company, as follows: When the governor of the State of Kansas shall certify that any section of ten consecutive miles of said road is completed in a good, substantial, and workmanlike manner as a first-class railroad, then the said Secretary of the Interior shall issue to the said company patents for as many sections of the land herein granted within the limits above named, and coterminous with said completed section hereinafter granted; and when certificates of the governor aforesaid shall be presented to said Secretary of the completion, as aforesaid, of each successive section of ten consecutive miles of said road, the said Secretary shall in like manner issue to said company patents for the land for each of said sections of road as in the first instance, until said road shall be completed; Provided, That if said road is not completed within ten years from the date of the acceptance of the grant hereinafter made, the lands remaining unpatented shall revert to the United States.

SEC. 4. And be it further enacted, That as soon as said company shall file with the Secretary of the Interior maps of its line, designating the route thereof, it shall be the duty of said Secretary to withdraw from the market the lands granted by this act, in such manner as may be best calculated to effect the purposes of this act and subserve the public interest.

SEC. 5. And be it further enacted, That the United States mail shall be transported on said road, and under the direction of the Post Office Department, at such price as Congress may by law provide; Provided, That until such price is fixed by law the Postmaster-General shall have power to fix the compensation.

SEC. 6. And be it further enacted, That the right of way through the public lands be, and the same is hereby, granted to said Pacific Railroad Company, southern branch, its successors and assigns, for the construction of a railroad as proposed: and the right is hereby given to said corporation to take from the public lands adjacent to the line of said road material for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also all necessary ground for station buildings, work-shops, depots, machine-shops, switch-places, sidetracks, turn-tables, and water-stations.

SEC. 7. And be it further enacted, That the acceptance of the terms, conditions, and impositions of this act by the said Pacific Railroad Company southern branch, shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within
one year after the passage of this act, and not afterwards, and shall be deposited with the Secretary of the Interior.

SEC. 8. And be it further enacted, That said Pacific Railroad Company, southern branch, its successors and assigns, is hereby authorized and empowered to extend and construct its railroad from the southern boundary of Kansas, south through the Indian Territory, with the consent of the Indians, and not otherwise, along the valley of Grand and Arkansas rivers, to Fort Smith, in the State of Arkansas; and the right of way through said Indian Territory is hereby granted to said company, its successors and assigns, to the extent of one hundred feet on each side of said road or roads, and all necessary grounds for stations, buildings, work-shops, machine-shops, switches, side-tracks, turn-tables, and water-stations.

SEC. 9. And be it further enacted, That the same grant[s] of lands through said Indian Territory are hereby made as provided in the first section of this act, whenever the Indian title shall be extinguished by treaty or otherwise, not to exceed the ratio per mile granted in the first section of this act: Provided, That said lands become a part of the public lands of the United States.

SEC. 10. And be it further enacted, That said Pacific Railroad Company, southern branch, its successors and assigns, shall have the right to negotiate with, and acquire title to land for railroad purposes from, any Indian nation or tribe authorized by the United States to dispose of lands, and from any other nation or tribe of Indians through whose lands said railroad may pass, subject to the approval of the United States, or from any company or parties incorporated or authorized for such purposes, by such nation or tribe, or which such parties may have acquired under the laws of the United States.

SEC. 11. And be it further enacted, That any railroad company chartered under any law of the United States, or of any State which may have been heretofore or shall hereafter be organized by any act of the Congress of the United States, may connect, unite, and consolidate with this railroad company, after the same shall be located to the valley of the Neosho or Grand River, upon just, fair, and equitable terms, to be agreed upon between the parties, as shall not be against the public interest, or the interest of the United States.

APPROVED, July 26, 1866.

CHAP. CCXXVIII — An Act to incorporate the Washington Temperance Society of the City of Washington, District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John S. Hollingshead, William G. Flood, Christopher Cammack, senior, Asbury Lloyd, John B. Wheeler, Zach. B. Brooke, Ros. A. Fish, George W. Maher, Wm. P. Drew, Wm. H. Nally, Thomas B. Marche, Oscar Alexander, William Dixon, and others who now are or may hereafter become members of said society, and their successors, are hereby declared to be one community and body corporate by the name, style, and title of the Washington Temperance Society of Washington City and District of Columbia; and by that name they shall be, and are hereby, made able and capable in law to have, receive, and retain to them and their successors property real and personal, also devises and bequests of any person or persons, bodies corporate or politic, capable of making the same, and the same to dispose of or transfer at their pleasure in such manner as they may think proper: Provided always, That the said corporation shall not at any time hold or possess property, real, personal, or mixed, exceeding in value the sum of twenty-five thousand dollars, other than that which may be invested in a hall to be erected for the purposes of the society.

SEC. 2. And be it further enacted, That the said corporation and their Pacific Railroad Company, southern branch, may extend its road, through Indian Territory, by consent to Fort Smith. Right of way through Indian Territory, and ground for stations, &c. When Indian title is extinguished in Indian Territory, and lands become public lands, grant thereof to company. Company may acquire title from certain Indians.

Any railroad company may unite with this company, after, &c.
successors, by the name and title aforesaid, shall be capable in law to sue
and be sued, plead and be impleaded, answer and be answered unto, de-
 fend and be defended, in all or any courts of justice, and before all and
any judges, officers, or persons whatsoever, in all and singular actions,
matters, or demands whatsoever.

SEC. 3. And be it further enacted, That the said corporation shall have
power to hold stated meetings; to establish and put into execution, alter
or abolish such by-laws, rules, and regulations as to them shall seem most
conducive to the interests of the society; Provided, That the same shall
not be contrary to the laws of the United States.

SEC. 4. And be it further enacted, That nothing in this act shall be so
construed as to authorize the said corporation to issue any note, token,
device, or other evidence of debt to be used as a currency.

SEC. 5. And be it further enacted, That this act may be altered or re-
pealed at the pleasure of the Congress.

APPROVED, July 27, 1866.

CHAP. CCLXXVIII.—An Act granting Lands to aid in the Construction of a Rail-
road and Telegraph Line from the States of Missouri and Arkansas to the Pacific Coast.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That John B. Brown, Anson P.
Morrill, Samuel F. Hersey, William G. Crosby, Samuel E. Spring, Sam-
uel P. Dunsmore, of Maine; N. S. Upham, Frederick Smyth, Onslow
Stearns, S. G. Griffin, William E. Chandler, of New Hampshire; T. W.
Parke, H. H. Baxter, John Gregory Smith, A. P. Lyman, of Vermont;
Walter S. Burges, William S. Slater, Stephen Harris, Thomas P. Shep-
ard, of Rhode Island; William Merritt, Alexander H. Bullock, George
L. Stearns, Genery Twitchell, Charles H. Warren, Chester W. Chapin,
of Massachusetts; John Boyd, Robert C. Wetmore, John T. Wait, Cyrus
Northrop, of Connecticut; Solon Humphreys, J. Bigler, Homer Rams-
dell, Isaac H. Knox, John A. C. Gray, Daniel L. Ross, A. V. Stout, M.
K. Jessup, R. E. Fenton, L. E. Fancher, J. C. Fremont, James Hoy,
Jesse M. Bolles, Edward Gilbert, James P. Robinson, Oliver C. Billings,
of New York; Charles Bachelor, John Edgar Thompson, Morton McMi-
ichael, T. Haskins Du Puy, Thomas A. Scott, Charles Rockeaton, Wil-
liam Lyon, George W. Cass, Levi Parsons, of Pennsylvania; Charles
Knap, J. L. N. Stratton, James B. Dayton, Robert F. Stockton, Alex-
ander G. Cattell, A. W. Markley, of New Jersey; John W. Garrett,
Charles J. M. Gwinn, Robert Fowler, Jacob Tome, Thomas M. Lanahan,
of Maryland; Charles J. Dupont, Henry Ridgley, Andrew C. Gray, Nat.
Smythers, of Delaware; Bellamy Storer, George B. Senter, William Ba-
er, Samuel Galloway, David Tod, Charles Anderson, Bird B. Chapman,
Edward Sturgis, Israel Dille, of Ohio; Edwin Peck, William D. Gris-
wold, James P. Luce, Samuel E. Perkins, Conrad Baker, of Indiana;
Richard J. Oglesby, N. B. Judd, Samuel A. Buckmaster, D. L. Phillips,
L. P. Sanger, of Illinois; Eber B. Ward, Omar D. Congar, Nathaniel
W. Brooks, Alexander H. Morrison, of Michigan; Z. G. Simmons, Alex-
ander Mitchell, J. J. Williams, G. A. Thompson, J. J. R. Pease, John H.
Hersey, of Wisconsin; Henry A. Smith, Sherman Finch, William Mitch-
ell, R. F. Crowell, L. F. Hubbard, E. F. Drake, of Minnesota; Lyman
Cook, Platt Smith, Jacob Butler, Henry I. Reid, Hoyt Sherman, of
Iowa; William G. Brownlow, of Tennessee; Thomas C. Fletcher, B. R.
Bonner, John M. Richardson, Emil Pretorious, E. W. Fox, R. J. Mc-
elheny, Charles H. Howland, Madison Miller, George W. Fishback, T.
J. Hubbard, George Knapp, Charles K. Dickson, A. G. Braun, G. L.
Hewitt, P. A. Thompson, James W. Thomas, Charles E. Moss, Edward
Walsh, A. R. Easton, Truman J. Horner, J. B. Eads, D. R. Garrison,
W. A. Kayser, George P. Robinson, of Missouri; Thomas E. Bramlette,
Benjamin Gratz, C. E. Warren, Lazarus W. Powell, John Mason Brown, Joshua Speed, of Kentucky; Solon Thatcher, Jacob Stotter, William B. Edwards, James Cook, Robert McBratney, of Kansas; Harrison Hagaus, James G. Blunt, of West Virginia; Lorenzo Sherwood, A. J. Hamilton, of Texas; William Gilpin, Henry C. Leach, of Colorado; Phineas Banning, Timothy G. Phelps, William B. Carr, Edward F. Beale, Fred. F. Lowe, Benj. B. Redding, B. W. Hathaway, Leomus Haskell, Frederick Billings, of California; W. S. Laid, J. R. Moores, Walter Moniteith, John Kelly, B. F. Dowell, of Oregon; James L. Johnson, Henry Connelly, Francis Perea, of New Mexico; J. H. Mills, A. P. K. Safford, E. S. Davis, of Nevada; King S. Woolsey, William H. Hardy, Coles Bashford of Arizona; Henry D. Cooke, of the District of Columbia; and all such other persons who shall or may be associated with them, and their successors, are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style, and title of the "Atlantic and Pacific Railroad Company," and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal. And said corporation is hereby authorized and empowered to lay out, locate, and construct, furnish, maintain, and enjoy, a continuous railroad and telegraph line, with the appurtenances, namely: Beginning at or near the town of Springfield, in the State of Missouri, thence to the western boundary line of said State, and thence by the most eligible railroad route as shall be determined by said company to a point near the Canadian River, thence to the town of Albuquerque, on the River Del Norte, and thence, by way of the Agua Frio, or other suitable pass, to the head-waters of the Colorado Chiquito, and thence, along the thirty-fifth parallel of latitude, as near as may be found most suitable for a railway route, to the Colorado River, at such point as may be selected by said company for crossing; thence by the most practicable and eligible route, to the Pacific. The said company shall have the right to construct a branch from the point at which the road strikes the Canadian River eastwardly, along the most suitable route as selected, to a point in the western boundary line of Arkansas, at or near the town of Van Buren. And the said company is hereby vested with all the powers, privileges, and immunities necessary to carry into effect the purposes of this act, as herein set forth. The capital stock of said company shall consist of one million shares of one hundred dollars each, which shall in all respects be deemed personal property, and shall be transferable in such manner as the laws of said corporation shall provide. The persons hereinbefore named are hereby appointed commissioners, and shall be called the board of commissioners of the "Atlantic and Pacific Railroad Company," and fifteen shall constitute a quorum for the transaction of business. The first meeting of said board of commissioners shall be held at the Turner Hall, in the city of Saint Louis, on the first day of October, anno Domini eighteen hundred and sixty-six, or at such time within three months thereafter as any ten commissioners, herein named from Missouri shall appoint, notice of which shall be given by them to the other commissioners, by publishing said notice in at least one daily newspaper in the cities of Boston, New York, Cincinnati, Saint Louis, Memphis, and Nashville, once a week for at least four weeks previous to the day of meeting. Said board shall organize by the choice from its number of a president, vice-president, secretary, and treasurer, and they shall require from said treasurer such bonds as may be deemed proper, and may from time to time increase the amount thereof, as they may deem proper. The secretary shall be sworn to the faithful performance of his duties, and such oath shall be entered upon the records of the company, signed by him, and the oath verified thereon. The president and secretary of
Other meetings, how called. Commissioners shall, in like manner, call all other meetings, naming the time and place thereof. It shall be the duty of said board of commissioners to open books, or cause books to be opened, at such times and in such principal cities or other places in the United States as they or a quorum of them shall determine, within twelve months after the passage of this act, to receive subscriptions to the capital stock of said corporation, and a cash payment of ten per centum on all subscriptions, and to receipt therefor. So soon as ten thousand shares shall in good faith be subscribed for, and ten dollars per share actually paid into the treasury of the company, the said president and secretary of said board of commissioners shall appoint a time and place for the first meeting of the subscribers to the stock of said company, and shall give notice thereof in at least one newspaper in each State in which subscription books have been opened, at least fifteen days previous to the day of meeting, and such subscribers as shall attend the meeting so called, either in person or by lawful proxy, then and there shall elect, by ballot, thirteen directors for said corporation; and in such election each share of said capital stock shall entitle the owner thereof to one vote. The president and secretary of the board of commissioners, and in case of their absence or inability any two of the officers of said board, shall act as inspectors of said election, and shall certify, under their hands, the names of the directors elected at said meeting. And the said commissioners, treasurer, and secretary shall then deliver over to said directors all the moneys, properties, subscription books, and other books in their possession, and thereupon the duties of said commissioners and the officers previously appointed by them shall cease and determine forever, and thereafter the stockholders shall constitute said body politic and corporate. Annual meetings of the stockholders of the said corporation for the choice of officers, (when they are to be chosen,) and for the transaction of business, shall be holden at such time and place and upon such notice as may be prescribed in the by-laws.

SEC. 2. And be it further enacted, That the right of way through the public lands be, and the same is hereby, granted to the said Atlantic and Pacific Railroad Company, its successors and assigns, for the construction of a railroad and telegraph as proposed; and the right, power, and authority is hereby given to said corporation to take from the public lands adjacent to the line of said road material of earth, stone, timber, and so forth, for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said railroad where it may pass through the public domain, including all necessary grounds for station-buildings, workshops, depots, machine-shops, switches, sidetracks, turn-tables, and water-stations; and the right of way shall be exempt from taxation within the Territories of the United States. The Indian title to all lands falling under the operation of this act and acquired in the donation to the road named in the act shall be extinguished, as rapidly as may be consistent with public policy and the welfare of the Indians, and only by their voluntary cession, the Indian title to all lands falling under the operation of this act and acquired in the donation to the road named in the act.

SEC. 3. And be it further enacted, That there be, and hereby is, granted to the Atlantic and Pacific Railroad Company, its successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line to the Pacific coast, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores, over the route of said line of railway and its branches, every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile, on each side of said railroad line, as said company may adopt, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad whenever it passes through any State, and whenever, on the line thereof, the United States have full title, not reserved, sold, granted, or otherwise appropriated, and free from pre-emption or other claims or rights,
at the time the line of said road is designated by a plat thereof, filed in
the office of the commissioner of the general land office; and whenever,
prior to said time, any of said sections or parts of sections shall have been
granted, sold, reserved, occupied by homestead settlers, or pre-empted, or
otherwise disposed of, other lands shall be selected by said company in
lieu thereof, under the direction of the Secretary of the Interior, in al-
ternate sections, and designated by odd numbers, not more than ten miles
beyond the limits of said alternate sections, and not including the re-
served numbers: Provided, That if said route shall be found upon the
line of any other railroad route, to aid in the construction of which lands
have been heretofore granted by the United States, as far as the routes
are upon the same general line, the amount of land hereofore granted
shall be deducted from the amount granted by this act: Provided fur-
ther, That the railroad company receiving the previous grant of land may
assign their interest to said “Atlantic and Pacific Railroad Company,” or
may consolidate, confederate, and associate with said company upon the
terms named in the first and seventeenth sections of this act: Provided
further, That all mineral lands be, and the same are hereby, excluded
from the operations of this act, and in lieu thereof a like quantity of un-
occupied and unappropriated agricultural lands in odd-numbered sections
nearest to the line of said road, and within twenty miles thereof, may be
selected as above provided: And provided further, That the word “min-
eral,” when it occurs in this act, shall not be held to include iron or coal:
And provided further, That no money shall be drawn from the treasury of
the United States to aid in the construction of the said “Atlantic and
Pacific Railroad.”

Sec. 4. And be it further enacted, That whenever said Atlantic and
Pacific Railroad Company shall have twenty-five consecutive miles of any
portion of said railroad and telegraph line ready for the service contem-
plated, the President of the United States shall appoint three commis-
sioners to examine the same, who shall be paid a reasonable compensation
for their services by the company, to be determined by the Secretary of
the Interior; and if it shall appear that twenty-five consecutive miles of
said road and telegraph line have been completed in a good, substantial
and workmanlike manner, as in all other respects required by this act,
the commissioners shall so report under oath, to the President of the United
States, and patents of lands, as aforesaid, shall be issued to said company,
confirming to said company the right and title to said lands situated oppo-
site to and coterminous with said completed section of said road. And
from time to time, whenever twenty-five additional consecutive miles shall
have been constructed, completed, and in readiness as aforesaid, and veri-
fiyed by said commissioners to the President of the United States, then pat-
ents shall be issued to said company conveying the additional sections of
land as aforesaid, and so on as fast as every twenty-five miles of said road is
completed as aforesaid.

Sec. 5. And be it further enacted, That said Atlantic and Pacific Rail-
road shall be constructed in a substantial and workmanlike manner, with
all the necessary draws, culverts, bridges, viaducts, crossings, turn-outs,
stations, and watering-places, and all other appurtenances, including fur-
niture and rolling stock, equal in all respects to railroads of the first class
when prepared for business, with rails of the best quality, manufactured
from American iron. And a uniform gauge shall be established through-
out the entire length of the road. And there shall be constructed a tele-
graph line, of the most substantial and approved description, to be oper-
ated along the entire line: Provided, That the said company shall not
charge the government higher rates than they do individuals for like trans-
portation and telegraphic service. And it shall be the duty of the Atlant-
tio and Pacific Railroad Company to permit any other railroad which
shall be authorized to be built by the United States, or by the legislature

If any of
 granted lands
have been said,
or reserved, &c.

If route is
not found to be upon
the line of any
other road to
which lands
have been grant-
ed, amount of
former grant to
be deducted.

millage and rates
for service.

Railroad how
to be con-
structed.

Rails,
Gauge
Telegraph
line.

Other rail-
roads may form running con-
nections with it.
of any Territory or State in which the same may be situated, to form running connections with it, on fair and equitable terms.

SEC. 6. And be it further enacted, That the President of the United States shall cause the lands to be surveyed for forty miles in width on both sides of the entire line of said road after the general route shall be fixed, and as fast as may be required by the construction of said railroad; and the odd sections of land hereby granted shall not be liable to sale or entry, or pre-emption, before or after they are surveyed, except by said company, as provided in this act; but the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof, and of the act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, shall be, and the same are hereby, extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company.

SEC. 7. And be it further enacted, That the said Atlantic and Pacific Railroad Company be, and is hereby, authorized and empowered to enter upon, purchase, take, and hold any lands or premises that may be necessary and proper for the construction and working of said road, not exceeding in width one hundred feet on each side of the line of its railroad, unless a greater width be required for the purpose of excavation or embankment; and also any lands or premises that may be necessary and proper for turn-outs, standing places for cars, depots, station-houses, or any other structures required in the construction and working of said road. And the said company shall have the right to cut and remove trees and other material that might, by falling, encumber its road-bed, though standing or being more than two hundred feet from the line of said road. And in case the owner of such lands or premises and the said company cannot agree as to the value of the premises taken, or to be taken, for the use of said road, the value thereof shall be determined by the appraisal of three disinterested commissioners, who may be appointed upon application by either party to any court of record in any of the Territories in which the lands or premises to be taken lie; and said commissioners, in their assessment of damages, shall appraise such premises at what would have been the value thereof if the road had not been built. And upon return into court of such appraisement, and upon the payment into the same of the estimated value of the premises taken for the use and benefit of the owner thereof, said premises shall be deemed to be taken by said company, which shall thereby acquire full title to the same for the purposes aforesaid. And either party feeling aggrieved at said appraisement may, within thirty days after the same has been returned into court, file an appeal therefrom, and demand a jury of twelve men to estimate the damage sustained; but such appeal shall not interfere with the rights of said company to enter upon the premises taken, or to do any act necessary and proper in the construction of its road. And said party appealing shall give bonds, with sufficient surety or sureties, for the payment of any cost that may arise upon such appeal; and in case the party appealing does not obtain a verdict more favorable, such party shall pay the whole cost incurred by the appellee, as well as his own, and the payment into court, for the use of the owner of said premises taken, at a sum equal to that finally awarded, shall be held to vest in said company the title of said land, and the right to use and occupy the same for the construction, maintenance, and operation of said road. And in case any of the lands to be taken as aforesaid shall be held by an infant, femme covert, non compos, insane person, or persons residing without the Territory within which the lands to be taken lie, or persons subjected to any legal disability, the court may appoint a guardian, for any party under any disqualification, to appear in proper person, who shall give bonds, with sufficient surety or sureties, for the proper and faithful execution of his trust, and who may
represent in court the person disqualified, as aforesaid, from appearing, when the same proceedings shall be had in reference to the appraisement of the premises to be taken for the use of said company, and with the same effect as has been already described; and the title of the company to the lands taken by virtue of this act shall not be affected or impaired by reason of any failure by any guardian to discharge faithfully his trust. And in case any party shall have a right or claim to any land for a term of years, or any interest therein, in possession, reversion, or remainder, the value of any such estate, less than a fee simple, shall be estimated and determined in the manner hereinbefore set forth. And in case it shall be necessary for the company to enter upon any lands which are unoccupied, and of which there is no apparent owner or claimant, it may proceed to take and use the same for the purposes of said railroad, and may institute proceedings, in manner described, for the purpose of ascertaining the value of, and of acquiring a title to, the same; but the judge of the court hearing said suit shall determine the kind of notice to be served on such owner or owners, and he may in his discretion appoint an agent or guardian to represent such owner or owners in case of his or their incapacity or non-appearance. But in case no claimant shall appear within six years from the time of the opening of said road across any land, all claims to damages against said company shall be barred.

SEC. 8. And be it further enacted, That each and every grant, right, and privilege herein are so made and given to and accepted by said Atlantic and Pacific Railroad Company, upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than fifty miles per year after the second year, and shall construct, equip, furnish, and complete the main line of the whole road by the fourth day of July, anno Domini eighteen hundred and seventy-eight.

SEC. 9. And be it further enacted, That the United States make the several conditional grants herein, and that the said Atlantic and Pacific Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow the same to continue for upwards of one year, then, in such case, at any time hereafter, the United States may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road.

SEC. 10. And be it further enacted, That all people of the United States shall have the right to subscribe to the stock of the Atlantic and Pacific Railroad Company until the whole capital named in this act of incorporation is taken up by complying with the terms of subscription.

SEC. 11. And be it further enacted, That said Atlantic and Pacific Railroad, or any part thereof, shall be a post route and military road, subject to the use of the United States for postal, military, naval, and all other government service, and also subject to such regulations as Congress may impose restricting the charges for such government transportation.

SEC. 12. And be it further enacted, That the acceptance of the terms, conditions, and impositions of this act by the said Atlantic and Pacific Railroad Company shall be signified in writing under the corporate seal of said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within two years after the passage of this act, and not afterwards, and shall be deposited in the office of the Secretary of the Interior.

SEC. 13. And be it further enacted, That the directors of said company shall make and publish an annual report of their proceedings and expenditures, verified by the affidavits of the president and at least six of the directors, a copy of which shall be deposited in the office of said Secre-
Rates of fare, tolls, &c.

President and vice-president.

Treasurer and secretary.

Bonds. Secretary to be sworn.

Who may not be a director.

Term of office of president, vice-president, and directors.

If directors are not elected on day appointed by by-laws.

Powers of directors Quorum. By-laws.

Vacancies.

Engineers, agents, &c.

Ten per cent of subscriptions to be paid in cash Assessment. Balance when to be paid. Notices when payments are due.

If stockholders neglect to pay, stock and previous payments forfeited. Redemption.

Company may accept and hold any grant, loan, aid, &c.

Secretary of the Interior, and they shall, from time to time, fix, determine, and regulate the fares, tolls, and charges to be received and paid for transportation of persons and property on said road, or any part thereof.

SEC. 14. And be it further enacted, That the directors chosen in pursuance of the first section of this act shall, so soon as may be after their election, elect from their own number a president and vice-president; and such board of directors shall, from time to time, and so soon as may be after their election, choose a treasurer and secretary, who shall hold their offices at the will and pleasure of the board of directors. The treasurer and secretary shall give such bonds, with such security as the said board from time to time may require. The secretary shall, before entering upon his duty, be sworn to the faithful discharge thereof; and said oath shall be made a matter of record upon the books of said corporation. No person shall be a director of said company unless he shall be a stockholder, and qualified to vote for directors at the election at which he shall be chosen.

SEC. 15. And be it further enacted, That the president, vice-president, and directors shall hold their offices for the period indicated in the by-laws of said company, not exceeding three years, respectively, and until others are chosen in their place, and qualified. In case it shall so happen that an election of directors shall not be made on any day appointed by the by-laws of said company, the corporation shall not for that excuse be deemed to be dissolved, but such election may be held on any day which shall be appointed by the directors. The directors, of whom seven, including the president, shall be a quorum for the transaction of business. They shall have full power to make and prescribe such by-laws, rules, and regulations as they shall deem needful and proper touching the disposition and management of the stock, property, estate, and effects of the company, the transfer of shares, the duties and conduct of their officers and servants touching the election and meeting of the directors, and all matters whatsoever which may appertain to the concerns of said company; and the said board of directors may have full power to fill any vacancy or vacancies that may occur from any cause or causes from time to time in their said board. And the said board of directors shall have power to appoint such engineers, agents, and subordinates as may from time to time be necessary to carry into effect the object of the company, and to do all acts and things touching the location and construction of said road.

SEC. 16. And be it further enacted, That it shall be lawful for the directors of said company to require payment of the sum of ten per centum on all subscriptions received of all subscribers, and the balance thereof at such times and in such proportions and on such conditions as they shall deem to be necessary to complete the said road and telegraph lines within the time in this act prescribed. Sixty days' previous notice shall be given of the payments required, and of the time and place of payment, by publishing a notice once a week in one daily newspaper in each of the cities of Boston, New York, Cincinnati, Saint Louis, Memphis, and Nashville, and in case any stockholder shall neglect or refuse to pay, in pursuance of such notice, the stock held by such person shall be forfeited absolutely to the use of the company, and also any payment or payments that shall have been made on account thereof, subject to the condition that the board of directors may allow the redemption on such terms as they may prescribe.

SEC. 17. And be it further enacted, That the said company is authorized to accept and hold any grant, loan, aid, or assistance which may be granted to or conferred on said company by the Congress of the United States, by the legislature of any State, or by any corporation, person, or persons, or by any Indian tribe or nation through whose reservation the road herein provided for may pass; and said corporation is authorized to hold and enjoy any such grant, donation,
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loan, power, franchise, aid, or assistance, to its own use, for the purpose aforesaid: Provided, That any such grant or donation, power, aid, or assistance from any Indian tribe or nation shall be subject to the approval of the President of the United States.

Sec. 18. And be it further enacted, That the Southern Pacific Railroad, a company incorporated under the laws of the State of California, is hereby authorized to connect with the said Atlantic and Pacific Railroad, formed under this act, at such point, near the boundary line of the State of California, as they shall deem most suitable for a railroad line to San Francisco, and shall have a uniform gauge and rate of freight or fare with said road; and in consideration thereof, to aid in its construction, shall have similar grants of land, subject to all the conditions and limitations herein provided, and shall be required to construct its road on the like regulations, as to time and manner, with the Atlantic and Pacific Railroad herein provided for.

Sec. 19. And be it further enacted, That unless the said Atlantic and Pacific Railroad Company shall obtain bona fide subscriptions to the stock of said company to the amount of one million of dollars, with ten per centum paid, within two years after the passage of and approval of this act, it shall be null and void.

Sec. 20. And be it further enacted, That the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the government at all times, but particularly in time of war, the use and benefits of the same for postal, military, and other purposes, Congress may, at any time, having due regard for the rights of said Atlantic and Pacific Railroad Company, add to, alter, amend, or repeal this act.

Sec. 21. And be it further enacted, That whenever in any grant of land or other subsidies, made or hereafter to be made, to railroads or other corporations, the United States has reserved the right, or shall reserve it, to appoint directors, engineers, commissioners or other agents to examine said roads, or act in conjunction with other officers of said company or companies, all the costs, charges, and pay of said directors, engineers, commissioners, or agents, shall be paid by the respective companies. Said directors, engineers, commissioners, or agents shall be paid for said services the sum of ten dollars per day, for each and every day actually and necessarily employed, and ten cents per mile for each and every mile actually and necessarily travelled, in discharging the duties required of them, which per diem and mileage shall be in full compensation for said services. And in case any company shall refuse or neglect to make such payments, no more patents for lands or other subsidies shall be issued to said company, until these requirements are complied with.

Approved, July 27, 1866.

Chap. CCLXXIX.—An Act to incorporate the General Hospital of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Joseph Henry, James C. Hall, Amos Kendall, Thomas Miller, Richard Wallach, George W. Riggs, Grafton Tyler, Henry D. Cooke, D. W. Middleton, Charles Knapp, Benjamin B. French, James C. McGuire, Charles H. Nichols, William B. Todd, William Gunton, Edward Smith, and Thomas Young, and their successors in office, are hereby made, declared, and constituted a corporation and body politic, in law and in fact, under the name and style of the Directors of the General Hospital of the District of Columbia, and by that name they shall be, and are hereby, made capable in law to sue and be sued, to plead and be impleaded, in any court within the county of Wash-
ingston, in the District of Columbia, to have and use a common seal, and to alter and amend the same at pleasure; to have, purchase, receive, possess, and enjoy any estates in lands, tenements, annuities, goods, chattels, moneys, or effects, and to grant, demise, and dispose of the same in such manner as they may deem most for the interest of the hospital: Provided, That the annual income from the same held by such corporation shall not exceed in value the sum of twenty-five thousand dollars.

SEC. 2. And be it further enacted, That the said corporation and body politic shall have full power to appoint from their own body a president and such other officers as they may deem necessary for the purposes of their creation; and in case of the death, resignation, or refusal to serve of any of their number, the remaining members shall elect and appoint other persons in lieu of those whose places may have been vacated; and the said corporation shall have full power and all the rights of opening and keeping a hospital in the city of Washington, for the care of such sick, wounded, and invalid persons as may place themselves under the care of said corporation, and the property held by said corporation shall be devoted exclusively to the purposes of such hospital.

SEC. 3. And be it further enacted, That the said corporation shall also have and enjoy full power and authority to make such by-laws, rules, and regulations as may be necessary for the general accomplishment of the objects of such hospital: Provided, That they be not inconsistent with the laws in force in the District of Columbia: And provided further, That this act shall be liable to be amended, altered, or repealed at the pleasure of Congress.

APPROVED, July 27, 1866.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the southern judicial district of the State of California and the western district of Louisiana shall be, and the same are hereby, abolished, and hereafter the said States shall respectively constitute one judicial district, and shall respectively be called the districts of California and Louisiana. The district judge, marshal, and district attorney of the United States for the northern district of California and the eastern district of Louisiana shall respectively possess and exercise the same powers and jurisdiction in said district courts of California and Louisiana as they now possess and exercise in their respective districts.

SEC. 2. And be it further enacted, That all actions, suits, and proceedings, civil or criminal, which shall have been commenced, and at the time of the passage of this act shall be pending in the southern district of California or the western district of Louisiana, and all process, orders, judgments, decrees, records, or other papers or proceedings relating thereto or filed therein, shall be transferred to the said district courts of California and Louisiana respectively, which courts shall possess and exercise over such actions, suits, and proceedings, and the process, orders, judgments, decrees, records, and other papers and proceedings so transferred, the same authority and jurisdiction as they would have had if such actions, suits, and proceedings had been commenced in said courts; and no indictment, writ, process, recognizance, or other proceeding returnable to or to be heard, tried, or considered in the said southern district of California or said western district of Louisiana shall be abated, discontinued, or rendered void by the transfer thereof as aforesaid.

SEC. 3. And be it further enacted, That the clerks of the said southern district of California and the said western district of Louisiana shall, as soon as practicable after the passage of this act, deliver to and deposit
with the clerks of the said district courts of California and Louisiana, respectively, all property, books, records, documents, and papers remaining in their respective offices, and the same shall be received and kept by the said last-mentioned clerks subject to the order and direction of such courts respectively.

SEC. 4. And be it further enacted, That executions may be issued out of the said district court of California and the said district court of Louisiana, respectively, to collect any judgment or decree rendered in the said southern district of California or said western district of Louisiana before the passage of this act with the same effect as the same might now be issued out of the court in which such judgment or decree was rendered; and all process which shall have been issued out of said district court for the southern district of California or said western district of Louisiana, and shall not have been returned before the passage of this act, shall be returned to and filed with the clerks of the district courts of California and Louisiana respectively.

SEC. 5. And be it further enacted, That the salary of the United States district judge for the district of Louisiana shall hereafter be four thousand five hundred dollars per annum.

APPROVED, July 27, 1866.

CHAP. CCLXXXI—An Act to authorize the Use in Post Offices of Weights of the Denomination of Grams.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby, authorized and directed to furnish to the post offices exchanging mails with foreign countries, and to such other offices as he shall think expedient, postal balances denominated in grams of the metric system; and, until otherwise provided by law, one half ounce avoirdupois shall be deemed and taken for postal purposes as the equivalent of fifteen grams of the metric weights, and so adopted in progression; and the rates of postage shall be applied accordingly.

APPROVED, July 27, 1866.

CHAP. CCLXXII.—An Act to authorize the Refunding of certain Taxes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where the license tax imposed upon any wholesale dealer has been calculated upon the amount of such dealer's sales for the previous year, in accordance with the terms of the seventy-ninth section of an act approved June thirtieth, eighteen hundred and sixty-four, and it shall be proved to the satisfaction of the commissioner of internal revenue that the sales made under such license did not equal in amount the sales of such previous year, it shall be lawful for said commissioner to refund to such wholesale dealer so much of the amount paid for such license as may be in excess of the proper tax chargeable upon the amount of sales actually made under such license during the year for which the same was issued.

APPROVED, July 27, 1866.

CHAP. CCLXXXIII—An Act amendatory of Section thirteen of an Act entitled “An Act to amend an Act entitled ‘An Act to provide Internal Revenue to support the Government, to pay Interest on the Public Debt, and for other Purposes,’ approved June 30, 1864,” approved March 3, 1865.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the thirteenth section of an act entitled “An act to amend an act entitled ‘An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,’ approved June 30, 1864,” approved March 3, 1865, be and the same is hereby amended by substituting the words “without
CHAP. CCLXXXIV.—An Act to amend the Acts relating to Officers employed in the Examination of imported Merchandise in the District of New York, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the appraisers now authorized by law for the appraisement of goods, wares, and merchandise at the port of New York, the President of the United States shall, by and with the advice and consent of the Senate, appoint for said port one appraiser, who has had experience as an appraiser, or who shall be practically acquainted with the quality and value of some one or more of the chief articles of importation subject to appraisement, and who, before he enters upon the duties of his office, shall take and subscribe an oath faithfully to direct and supervise the examination, inspection, and appraisement according to law, of such goods, wares, and merchandise as the collector may direct, and as is hereinafter provided for, and to cause to be duly reported to the collector the true value thereof, as required by law: Provided, That the collector shall not, under any circumstances, direct to be sent for examination and appraisement less than one package of every invoice, and one package at least out of every ten packages of goods, wares, and merchandise, and a greater number should he, or the appraiser, or any assistant appraiser, deem it necessary: Provided, nevertheless, that when from the character and description of the goods, wares, and merchandise, the Secretary of the Treasury may be of the opinion that the examination of a less proportion of packages will amply protect the revenue, he may, by special regulation, direct a less number of packages to be examined. And the appraiser, created by this act, in cases of his necessary and occasional absence, may perform his functions, ad interim, by deputy, designated by him in writing, from the assistant appraisers to be appointed under the provisions of this act.

Sec. 2. And be it further enacted, That in lieu of the assistant appraisers now authorized by law for the port of New York, the Secretary of the Treasury may appoint not exceeding ten assistant appraisers for said port, who have had experience as appraisers, or who shall be practically acquainted with the quality and value of some one or more of the chief articles of importation subject to appraisement, and included among the goods, wares, or merchandise, to the examination and appraisement of which they are respectively to be assigned, and who shall be employed in appraising goods, according to law, under the direction and supervision of the appraiser; and each of whom shall, before entering upon the duties of his office, take and subscribe an oath diligently and faithfully to examine and inspect such goods, wares, and merchandise as the appraiser may direct, and truly to report to him the true value thereof, according to law; such report to be subject to revision and correction by the appraiser, and when approved by him to be transmitted to the collector, and to be deemed and taken to be the appraisement by the United States local appraiser of the district of such goods, wares, or merchandise required by law.

Sec. 3. And be it further enacted, That one of the assistant appraisers to be appointed by virtue of this act, with special reference to his qualifications for the duties in this section set forth, shall, in addition to the duties that may be required of him by the appraiser, perform the duties and act in the place and stead of the special examiner of drugs, medicines, chemicals, and so forth, at the port of New York, as provided by the act.
of June twenty-six, eighteen hundred and forty-eight, chapter seventy, and one of the assistant appraisers to be appointed by virtue of this act shall be detailed by the appraiser for the supervision of the department for the examination of merchandise damaged on the voyage of importation, and as far as practicable to make examinations and appraisals of such or any other merchandise as the appraiser may direct, and in all cases truly to report to him the extent of such damage, or the true value of the merchandise appraised, as the case may be, according to law, such report to be subject to the same revision, correction, and approval by the appraiser, as prescribed in the second section of this act, and to be in like manner, and for the same purpose, transmitted to the collector.

SEC. 4. And be it further enacted, That in lieu of the clerks now employed in the examination, inspection, and appraisement of goods, wares, and merchandise at the port of New York, the Secretary of the Treasury may, on the nomination of the appraiser, appoint such number of examiners as said Secretary may in writing determine to be necessary, their compensation to be limited and fixed by him, but not to exceed the rates of twenty-five hundred dollars per year, to aid each of said assistant appraisers in the examination, inspection, and appraisement of goods, wares, and merchandise, according to law; and no person shall be appointed such examiner who is not, at the time of his appointment, practically and thoroughly acquainted with the character, quality, and value of the article or articles in the examination and appraisement of which he is to be employed; nor shall any such examiner enter upon the discharge of his duties, as such, until he shall have taken and subscribed an oath faithfully and diligently to discharge such duties according to law; and the Secretary of the Treasury shall also appoint, on the nomination of the appraiser, the clerks, verifiers, samplers, openers, packers, and messengers employed in the appraiser's office, or in any of the departments thereof, and shall limit and fix their number and compensation; but their compensation shall not exceed the rates of compensation usually paid for similar service.

SEC. 5. And be it further enacted, That it shall not be lawful for the appraiser, the assistant appraisers, examiners, clerks, verifiers, samplers, messengers, or other persons employed in the departments of appraisal, or any of them, to engage or be employed in any commercial or mercantile business, or act as agent for any person engaged in such business, during the term of their appointment.

SEC. 6. And be it further enacted, That the appraiser who may be appointed under the provisions of this act shall receive a compensation of four thousand dollars per annum, and the assistant appraisers shall each receive a compensation of three thousand dollars per annum, to be paid out of the appropriations for defraying the expenses of collecting the revenue.

SEC. 7. And be it further enacted, That the compensation allowed, respectively, to the appraiser and the assistant appraisers, under the provisions of this act, shall be paid to them in monthly payments, and in due proportion for any period less than one month for the time they may actually serve.

SEC. 8. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed; and all provisions of existing acts relating to the duties of the appraisers now provided for by law, or to any proceedings consequent or dependent upon the action of such appraisers and not inconsistent with the provisions of this act, shall be construed to apply to the appraiser and assistant appraisers provided for by this act, and shall be continued in full force, and that this act shall take effect on and after the first day of September, anno Domini eighteen hundred and sixty-six.

SEC. 9. And be it further enacted, That if at any time, from an in-
crease of importation, or from any other cause, there shall be found upon the floors of the public stores in the city of New York an accumulation of merchandise awaiting appraisement, it shall be the duty of the appraiser, under regulations established by the Secretary of the Treasury, to direct the assistant appraisers, and others associated with them in this branch of the public business, to devote time beyond the usual business hours, in each day, during daylight, to their respective duties, to the end that the business of appraisement may be faithfully and more promptly despatched.

SEC. 10. And be it further enacted, That all aids to the revenue or others performing the duties of inspectors of customs in any collection district, shall be paid the same per diem compensation as inspectors of customs.

APPROVED, July 27, 1866.

CHAP. CCLXXXV. — An Act for the Relief of Sufferers by Fire at Portland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on all goods, wares, and merchandise which may be sent from places without the limits of the United States, as gratuitous contributions to the relief of sufferers by the fire which occurred at Portland, Maine, July fourth and fifth, eighteen hundred and sixty-six, shall, when imported at the port of Portland and consigned to the proper authority for distribution, be admitted free of duty.

SEC. 2. And be it further enacted, That there shall be allowed and paid, under such regulations as the Secretary of the Treasury shall prescribe, on all materials actually used in buildings erected on the ground burned over by said fire, a drawback of the import duties paid on the same; Provided, That said materials shall have been imported at the port of Portland during the term of one year from and after said fifth day of July, 1866.

APPROVED, July 27, 1866.

CHAP. CCLXXXVI. — An Act to prevent the Wearing of Sheath Knives by American Seamen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the existing regulation for the government of the navy of the United States, prohibiting the wearing of sheath knives on shipboard is hereby extended and made applicable to all seamen in the merchant service.

SEC. 2. And be it further enacted, That it shall be the duty of the master or other officer in command of any ship or vessel registered, enrolled, or licensed under the laws of the United States, and of the owner or other person entering into contract for the employment of a seaman or other subordinate upon any such ship or vessel, to inform every person offering to ship himself of the provisions of this law, and to require his compliance therewith, under a penalty of fifty dollars for each omission, to be sued for and recovered in the name of the United States of America, under the direction of the Secretary of the Treasury, one half for the benefit of the informer and the other half for the benefit of the fund for the relief of sick and disabled seamen.

APPROVED, July 27, 1866.
An Act to further regulate the Printing of public Documents, and the Purchase of Paper for the public Printing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter it shall be the duty of the superintendent of public printing, in place of the reports of the executive departments ordered by the act of June twenty-five, eighteen hundred and sixty-four, to cause to be printed and bound twenty-five hundred copies of the annual reports of the executive departments, with such accompanying documents as the heads of those departments may respectively select, but not to exceed three hundred pages for the use of said departments, respectively.

SEC. 2. And be it further enacted, That whenever papers relating to foreign affairs shall be communicated to Congress, accompanying the annual message of the President, it shall be the duty of the superintendent of public printing to cause to be printed and bound, in addition to the usual number, two thousand copies for the use of the members of the Senate, four thousand copies for the use of the House, and two thousand five hundred copies for the use of the State Department, in place of the numbers ordered by the act of June twenty-five, eighteen hundred and sixty-four.

SEC. 3. And be it further enacted, That in the publication of the report of the Secretary of the Navy the detailed statement of offers for supplies and of articles embraced in each class under contract be omitted, and in lieu thereof the Secretary of the Navy shall prepare and submit with his report a schedule embracing the offers by classes, indicating such as have been accepted.

SEC. 4. And be it further enacted, That it shall be the duty of the superintendent of public printing, at the commencement of each session of Congress, to submit to the joint committee on printing estimates of the quantity of paper of all descriptions which will, in his opinion, be required for the execution of the public printing during the coming year. The joint committee on printing shall then fix upon a standard of paper for the different descriptions of congressional and executive printing, and it shall be the duty of the superintendent of public printing, under the direction of the joint committee on printing, to advertise in only two newspapers published in each of the cities of New York, Cincinnati, Boston, Philadelphia, Baltimore, and Washington, for sealed proposals to furnish paper required for either three months, six months, or one year, as the superintendent shall designate the minimum portion of each particular quality of paper for the different departments; and he shall select, but not to exceed three hundred pages for the use of said departments.

Provided, That the advertisement for sealed proposals for furnishing paper shall designate the minimum portion of each particular quality of paper required for either three months, six months, or one year, as the joint committee on printing may determine; but when the minimum portion so specified shall exceed in any case one thousand reams, the advertisement shall state that proposals will be received for one thousand reams or more: And provided further, That no proposals shall be considered by the joint committee on printing, unless accompanied by satisfactory evidence that the person or persons making said proposals are manufacturers or dealers in the description of paper which they propose to furnish: And provided further, That, in awarding contracts, an equitable period of time for filling the same shall be designated and allowed by the joint committee on printing, without whose approval no contract shall be valid: And provided further, That it shall be the duty of the superintendent of public printing to include in his annual report to Congress a detailed statement of all proposals made and contracts entered into for the purchase of paper.

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SUPERINTENDENT OF PUBLIC PRINTING TO SEE THAT PAPER DELIVERED CONFORMS TO CONTRACT.

Committee to determine differences with contractor.

If contractor is in default, superintendent to report to committee or secretary, and make a new contract, meanwhile to purchase in open market.

Defaulting contractors to be charged with any increase of price.

Suits on bonds.

Paper may be purchased in open market where quantity required is small, or the want is immediate.

Conflicting provisions of law repeated, but not to print greater number of copies unless, &c.

SEC. 5. And be it further enacted, That it shall be the duty of the superintendent of public printing to compare every lot of paper delivered by any contractor with the standard of quality, and also to see that it is of the weight contracted for, and to refuse to accept any paper from any contractor which does not conform to the standard of quality and is not of the stipulated weight. And in case of difference of opinion between the superintendent of public printing and any contractor for paper with respect to its quality, the matter of difference shall be determined by the joint committee on printing: Provided, That in default of any contractor to comply with his contract in furnishing the paper contracted for, in the proper time, and of proper quality and weight, it shall be the duty of the superintendent of public printing to report the same to the joint committee on printing if Congress is in session, or to the Secretary of the Interior if during a recess of Congress, and he shall, under the direction of the joint committee on printing or of the Secretary of the Interior, as the case may be, enter into a new contract with the lowest and best bidder for the interest of the government, amongst those whose proposals were rejected at the last opening of bids, or advertise for new proposals, under the regulations before established; and during the interval which may thus be created, he shall, under the direction of the joint committee on printing or of the Secretary of the Interior, as above provided, purchase in open market, at the lowest market price, all such paper necessary for the public service. For any increase of cost to the government in procuring a supply of paper for the use of the government, the contractor or contractors in default and his or their securities shall be charged with and held responsible for the same, and shall be prosecuted upon their bond by the solicitor of the treasury, in the name of the United States, in the circuit court of the United States in the district in which the defaulting contractor resides; and to enable the solicitor to do so, it shall be the duty of the superintendent of public printing to report to him the default on its happening, with a full statement of all the facts in the case: And provided further, That the joint committee on public printing, or, during the recess of Congress, the Secretary of the Interior, be authorized to empower the superintendent of public printing to make purchases of paper, in open market, at the lowest market price, whenever in their opinion the quantity required is so small, or the want is so immediate, as not to justify advertisement for and award of contract therefor.

SEC. 6. And be it further enacted, That all laws or parts of laws, joint resolutions, or parts of resolutions, conflicting with the above provisions, be and they are hereby repealed, nor shall the superintendent of public printing print any greater number of the reports herein named, unless otherwise directed by either house of Congress.

APPROVED, July 27, 1866.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if in any suit already commenced, or that may hereafter be commenced, in any State court against an alien, or by a citizen of the State in which the suit is brought against a citizen of another State, and the matter in dispute exceeds the sum of five hundred dollars, exclusive of costs, to be made to appear to the satisfaction of the court, a citizen of the State in which the suit is brought is or shall be a defendant, and if the suit so far as relates to the alien defendant or to the defendant who is the citizen of a State other than that in which the suit is brought, is or has been instituted or prosecuted for the purpose of restraining or enjoining him, or if the suit is one
in which there can be a final determination of the controversy, so far removed by the alien defendant, or by the defendant who is a citizen of such other State, to the circuit court of the United States. Proceedings for removal.

State court to proceed no further against such defendants.

Attachments.

Injunctions.

Bond of indemnity, &c.

Plaintiff may proceed in State court against other defendants.

Copies of pleadings to have same effect as originals.

APPROVED, July 27, 1866.

CHAP. CCLXXXIX — An Act authorizing the Reimbursement to the Territory of Nebraska of certain Expenses incurred in repelling Indian Hostilities.

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, instructed to examine, adjust, and allow the expenditures and liabilities of the Territory of Nebraska, made and incurred in the year eighteen hundred and sixty-four, for the pay, equipment, and maintenance of territorial troops in the suppression of Indian hostilities and protection of the lives and property of citizens of the United States exposed to the attacks of the confederated tribes; and the amount so al-
lowed, when approved by the proper accounting officers of the treasury, shall be paid into the territorial treasury by a warrant payable to the order of the governor of that Territory, and shall be in full for all claims in the premises on the part of said Territory or the troops thereof: Provided, That no allowance shall be made for troops beyond the companies called out by the governor of said Territory in that year, and placed under the command of the general commanding the troops of the United States in that Territory; nor shall any rate of pay or expenses of any kind be allowed higher or greater than those allowed by law to like troops regularly enlisted in the service of the United States; and the sum of forty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated therefor out of any money in the treasury not otherwise appropriated.

APPROVED, July 27, 1866.

Chap. CCXCIII.—An Act to fix the Compensation of certain Collectors of Customs, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collectors of customs hereinafter named shall, from and after the first day of July, eighteen hundred and sixty-six, in lieu of the salaries to which they are now by law respectively entitled, receive the salaries following, to wit: The collectors of the districts of Texas, at Galveston, Saluria, Corpus Christi, and Brazos de Santiago, Texas, each at the rate of one thousand five hundred dollars a year in addition to the fees of office: Provided, That such compensation shall in no case exceed the sum of twenty-five hundred dollars per annum in the aggregate; the collectors of the districts of Beaufort, South Carolina, and Pensacola, Florida, each at the rate of one thousand dollars a year; the collectors of the district of Georgetown, in the District of Columbia, and of the districts of Cherrystone, Virginia; Brunswick, Georgia; [Saint] Augustine, Saint Mark's, and Apalachicola, Florida, and Teche, Louisiana, five hundred dollars a year each.

SEC. 2. And be it further enacted, That all that part of the State of Texas and the waters thereof included within the counties of Nueces, Starr, Zapata, Duval, Encinnoo, Webb, La Salle, McMullen, Live Oak, Bee, Refugio, and San Patricio, shall be a distinct collection district, to be called the district of Corpus Christi, and the town of Corpus Christi shall be its only port of entry; and a collector shall be appointed to reside at said port. And Aransas shall be a port of delivery in said district.

SEC. 3. And be it further enacted, That the town of Indianola shall hereafter be the port of entry for the district of Saluria, in said State, instead of La Salle. And all acts and parts of acts conflicting with the provisions of this act are hereby repealed: and this act shall take effect on and after the first day of August next.

SEC. 4. And be it further enacted, That in lieu of the compensation now allowed by law there shall hereafter be paid to each of the Deputy collectors at the ports of New York, Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, and to each of the general appraisers and local appraisers at Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, three thousand dollars per annum; to each of the deputy naval officers and the deputy surveyors at New York, Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, two thousand five hundred dollars per annum; and to each of the custom-house weighers at the ports of Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, two thousand dollars per annum, out of the appropriation for expenses of collecting the revenue from customs: Provided, That the additional compensation of twenty-
fifty per centum, as now provided by law, shall be continued to officers as aforesaid at the port of San Francisco.

SEC. 5. And be it further enacted, That all blank books, blanks, and stationary of every kind required by collectors and other officers of the customs, shall, so soon as they can be prepared for delivery, by or under the direction of the Secretary of the Treasury, be furnished to them for the use of their respective offices, upon requisition made by them, and the expense of such books, blanks, and stationary shall be paid out of the appropriation for defraying the expenses of collecting the revenue from customs.

SEC. 6. And be it further enacted, That the fourth section of the act of February twenty-eighth, eighteen hundred and sixty-five, entitled "An act to revive, certain provisions of the act entitled 'An act further to provide for the collection of duties on imports and tonnage,' approved March three, eighteen hundred and fifteen, and for other purposes," shall not be construed to increase the per diem allowed to appraisers by the first section of the act of April two, eighteen hundred and forty-four, which it amends.

Approved, July 28, 1866.

CHAP. CCXCIV. — An Act to prescribe the Mode of Settling the Accounts of the Clerk of the Supreme Court of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the clerk of the supreme court of the District of Columbia shall pay into the treasury of the United States all the earnings of his office, over and above the necessary expenses of the same and his own compensation.

SEC. 2. And be it further enacted, That his accounts of said earnings and expenses shall be adjusted by the regular auditor of the court, or by a special auditor to be appointed by the court for the purpose, within thirty days after the first day of January and July, every year; and the auditor shall immediately report his adjustment to the court, with such exceptions thereto as the clerk shall, within four days after the adjustment reported, take and file with the auditor.

SEC. 3. And be it further enacted, That the court shall pronounce such decree upon said report and exceptions as may seem to it equitable and just; and said decree shall be final, and be binding upon the United States and the clerk. If, upon such account, a balance be found due from the clerk to the United States, the court shall order payment by the clerk into the treasury, and enforce its order by execution, process of contempt, or otherwise; and, if the clerk refuse to pay the money, shall remove him from office. If a balance be found due from the United States to the clerk, the same shall be paid upon presenting to the treasurer a copy of the decree, duly certified.

SEC. 4. And be it further enacted, That the clerk shall, as in other cases of judgments to which the United States is a party, furnish the solicitor of the treasury a copy of the decree immediately after it is pronounced.

SEC. 5. And be it further enacted, That all other modes of accounting for the earnings of said office are hereby repealed.

Approved, July 28, 1866.

CHAP. CCXCV. — An Act for the Relief of the Trustees and Stewards of the Mission Church of the Wyandotte Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for refunding to Jacob White-Crow, John Sawahass, and others, trustees and stewards of the Wyandotte and Quindaro mission of the Kansas Conference of the Meth-
CHAP. CCXCVI. — An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending June thirtieth, eighteen hundred and sixty-seven, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-seven, viz:

Miscellaneous. — For discharge of such miscellaneous claims not otherwise provided for as shall be admitted in due course of settlement at the treasury, two thousand dollars.

For expenses in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds, and other securities of the United States, as well as the coins of the United States, one hundred and fifty thousand dollars.

For supplying deficiency in the fund for the relief of sick and disabled seamen, two hundred thousand dollars.

For repairs and preservation of public buildings, fifty thousand dollars.

For furniture, repairs of furniture, carpets, and miscellaneous items for the same, twenty thousand dollars.

For completion of north wing of treasury extension, and grading and fencing grounds, three hundred thousand dollars.

For replacing with slate or copper defective galvanized iron roofs, thirty thousand dollars.

For reconstruction of heating apparatus, thirty thousand dollars.

For burglar-proof safes and vaults, thirty thousand dollars.

For office furniture, and repairs of furniture, and miscellaneous expenses of the treasury bureaus, sixteen thousand dollars.

For expenses of detecting and bringing to trial and punishment persons engaged in perpetrating frauds upon the United States, to be disbursed under the direction of the Secretary of the Treasury, ten thousand dollars.

For the completion of the custom-house building at Toledo, Ohio, its addition, and the approaches thereto, ten thousand dollars.

For the purpose of preserving from further dilapidation the new custom house building in Charleston, South Carolina, ten thousand dollars.

For repairs of the United States arsenal at Hudson City, New Jersey, two thousand dollars.

For additional appropriation to complete the new court house and post office at Springfield, Illinois, fifty thousand dollars.

For repairs of Chelsea Marine Hospital, Chelsea, Massachusetts, forty thousand dollars.

To establish national cemeteries, and to purchase sites for the same, at such points as the President of the United States may deem proper, and for the care of the same, fifty thousand dollars.

For the purpose of preparing for publication under the direction of the Secretary of War, and of printing at the government printing office five thousand copies of the first volume of the medical and surgical history of the rebellion, compiled by the surgeon-general; and for the purpose of preparing for publication under the direction of the Secretary of War, and of printing at the government printing office five thousand copies of the medical statistics of the provost-marshal general's bureau, compiled
and to be completed by surgeon J. H. Baxter, sixty thousand dollars:

Provided, That the editions of both publications thus ordered shall be disposed of as Congress may hereafter direct: And provided further, That the necessary engraving and lithographing for these publications may be executed under the direction of the Secretary of War, without advertisement.

For transportation of officers of the marine corps, their servants, troops, and expenses of recruiting, fifteen thousand dollars.

For the enlargement and repairs of the custom-house and post-office buildings at Bangor, Maine, thirty-five thousand dollars.

For the repairs of the custom-house and post office and the walks and fences adjoining the same, at Middletown, Connecticut, five thousand dollars, the same to be expended under the direction of the Secretary of the Treasury.

For the erection of a chapel on the naval academy grounds at Annapolis, Maryland, twenty-five thousand dollars, and the existing appropriation for the enlargement of the chapel is hereby repealed.

Survey of the Coast.—For the survey of the Atlantic and Gulf coasts of the United States, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed in the work, two hundred and fifty thousand dollars.

For continuing the survey of the western coast of the United States, including compensation of civilians engaged in the work, one hundred and thirty thousand dollars.

For continuing the survey of the South Florida reefs, shoals, keys, and coast, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed in the work, twenty-five thousand dollars.

For publishing the observations made in the progress of the survey of the coast of the United States, including compensation of civilians employed in the work, five thousand dollars.

For repairs of steamers and sailing schooners used in the coast survey, twenty thousand dollars.

For pay and rations of engineers for four steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department, ten thousand dollars.

To provide for a survey of the Isthmus of Darien, under the direction of the War Department, with the view to the construction of a ship-canal, in accordance with the report of the superintendent of the naval observatory to the Navy Department, forty thousand dollars.

To enable the Secretary of the Treasury to collect reliable statistical information concerning the gold and silver mines of the Western States and Territories, which shall include the labor and capital employed, the product and the modes of working the same, and which information shall be reported to Congress, ten thousand dollars.

Light-house Establishment.—For the Atlantic, Gulf, and Lake coasts, viz:

For supplying the light-houses and beacon-lights with oil, wicks, glass chimneys, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus, two hundred thousand two hundred and eighty-seven dollars.

For repairs and incidental expenses of improving and refitting the same, one hundred and eighty-seven dollars.

For salaries of five hundred and eighty-nine keepers of light-houses and lighted beacons, and their assistants, two hundred and thirteen thousand one hundred and ninety-three dollars and thirty-three cents.

For salaries of forty-three keepers of light-vessels, twenty-three thousand nine hundred dollars.
For seamen’s wages, repairs, supplies, and incidental expenses of forty-three light-vessels, two hundred and forty-two thousand two hundred and thirty-nine dollars and fifty cents.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of beacons and buoys, and for chains and sinkers for the same, one hundred and sixty-two thousand three hundred and fifty dollars.

For compensation to the consul at Quebec, in Canada, fifteen hundred dollars.

For the Coasts of California, Oregon, and Washington. — For supplying twenty light-houses and beacon-lights with oil, glass chimneys, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in repair, and publishing notices to mariners of changes of aids to navigation, thirty-three thousand and thirty dollars.

For repairs and incidental expenses of twenty light-houses and buildings connected therewith, fifteen thousand dollars.

For salaries of forty-one keepers and assistant keepers of light-houses at an average not exceeding eight hundred dollars per annum, thirty-two thousand two hundred and fifty dollars.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

For rebuilding Block Island light-house, near Rhode Island, upon a more eligible site, fifteen thousand dollars.

For a new light-house on Race Rock, or on the southwest end of Fisher’s Island, entrance to Long Island Sound, as may be approved by the light-house board, ninety thousand dollars.

For rebuilding the following beacons, which have been destroyed, viz: Norwalk beacon, Southport beacon, and Elbow beacon, twenty-four thousand dollars.

For rebuilding beacon-lights on the Breakwater at Plattsburg, New York, three thousand dollars.

For a new light-house with suitable piers for protection at Rondout, New York, twenty-two thousand dollars.

For a new light-house with suitable piers of protection at Coxsackie, New York, twenty-two thousand dollars.

For repairs and renovations at Sandy Hook light station, New York, seven thousand one hundred dollars.

To provide additional station-houses, life-boats, and other appliances for the better preservation of life and property from shipwreck along the coast of New Jersey, between Sandy Hook and Little Egg Harbor, ten thousand dollars.

For repairing and relighting the light-house on Tucker’s Beach, on the coast of New Jersey, five thousand dollars.

For repairs and renovations at Esopus, Four-mile Point, Beaver-tail, Passaic, Black Rock, and Great West Bay light-stations, five thousand one hundred dollars.

For additional appropriations for building a new first-class light at Assateague, Virginia, twenty-five thousand dollars.

For a new light-house at Bay Point, Port Royal entrance, South Carolina, fifty thousand dollars.

For building range-lights at St. Clair Flats, Lake St. Clair, sixty thousand dollars.

For the erection of a light-house at Beaver Bay on Lake Superior, fifteen thousand dollars: Provided, That the light-house board of the
Treasury Department, after due examination, shall deem that a light-house at that point is necessary.

For building a new light-house at McGulpin’s Point, near old Fort Mackinac, twenty thousand dollars.

For a beacon-light on the end of the pier at Chicago, three thousand dollars.

For a new light-house at Eagle Bluff, Wisconsin, twelve thousand dollars.

For repairs at Grand Island light-house, Lake Superior, seventeen thousand dollars.

For beacon-light at the entrance to Grand Island harbor, Lake Superior, ten thousand dollars.

For additional aids to navigation in Green Bay, Wisconsin, including a third-class light-house on Mah-no-mah or Chambers’ Island, and beacon on Peshtego shoal, twenty-five thousand dollars.

For repairs to light-house at Huron Island, Lake Superior, seventeen thousand dollars.

For light-house and pier light at South Haven, in the State of Michigan, six thousand dollars.

For range-lights at Portage entry, Lake Superior, six thousand dollars.

For a light-house to mark the channel between Keewenaw Point and Manitou Island, Lake Superior, fifteen thousand dollars.

For new and efficient fog-signals at Mount Desert Island, Manticous, Seguran, Mankiegin, Moose Peak, Cape Elizabeth, Point Judith, Cooper Harbor, Detour, Fort Gratiot, Huron Island, Manitou, McGulpin’s Point, Pottawatomie, Sand Point, Waugoshance, White Fish Point, and other light-stations, fifty-nine thousand five hundred dollars.

For compensation of two superintendents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars.

For compensation of fifty-four keepers of stations at two hundred dollars each, ten thousand eight hundred dollars.

For a new light-house at Grand Point Aux Sables, Lake Michigan, thirty-five thousand dollars.

For a new light-house at the harbor of White River, Muskegon County, Michigan, ten thousand dollars.

For a new light-house at the harbor of Manistee, Manistee County, Michigan, ten thousand dollars: Provided, That no expenditure shall be made upon the aforesaid works at White River and Manistee, until a careful survey shall have been made and the character of the structure required shall have been thus determined, for which purpose the sum of one thousand dollars is hereby appropriated.

For completion of pier of protection and repairing Waugoshance light-house at Straits of Mackinac, ninety thousand dollars.

For the establishment of beacon-lights to mark Brewerton Channel, Patapsco River, Maryland, thirty thousand dollars.

To enable the light-house board to re-establish lights and other aid to navigation on the southern coast, two hundred thousand dollars.

To reimburse the appropriation for furnishing the President’s house, the sum transferred from it by the accounting officers of the treasury, to settle another account of the commissioner of public buildings for annual repairs, four thousand dollars; and the avails of old furniture which may be sold shall be applied to the purchase of new furniture.

To enable the commissioner of public buildings to put in thorough repair the bridge across the Potomac at Little Falls, in accordance with the estimate of the engineer, two thousand four hundred and ten dollars.

To enable the Secretary of the Interior to pay the interest on sundry sums loaned for government purposes by the First National Bank at Washington, District of Columbia, the sum of five thousand six hundred and seventy dollars and twelve cents.
For compensation to the commissioner and chief clerk of the general land office (to be apportioned by the Secretary of the Interior) in consideration of the increased duties devolving on them from June seventh, eighteen hundred and sixty-five, to December thirty-first, eighteen hundred and sixty-five, in connection with the census of eighteen hundred and sixty, seventeen hundred and fifty dollars.

For painting iron fences, two thousand five hundred dollars.

To repair gates to the iron fence enclosing Lafayette Square, five hundred dollars.

To repair and whitewash the wooden fences around the several reservations, one thousand dollars.

For repairing the arch on New Jersey Avenue below the coast survey building, one thousand dollars.

To repair or replace the water-pipes which convey the water from the spring in Franklin Square to the President's house, and to the Treasury, War, and Navy Departments, six thousand dollars.

For making the road from the President's stable to the house, fifteen hundred dollars.

For four new pave-washers on Pennsylvania Avenue, one thousand dollars.

To pay for drainage by pipes of the waste-water from the President's house, the cow-stable, cow-yard, and small greenhouse, one thousand two hundred and fifty dollars.

For an iron fence around the botanic garden, fifteen thousand dollars.

To cause to be painted in the square panels of glass, in the ceiling of the House of Representatives, the escutcheons of the States of Virginia and Nevada, the sum of one hundred and thirty dollars.

For compensation of one additional laborer hereby authorized to be appointed in the library of Congress, commencing July first, eighteen hundred and sixty-six, seven hundred and twenty dollars.

For purchase of coal and pay of firemen to warm the library of Congress, two thousand two hundred and eighty dollars.

For care, support, and medical treatment of sixty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, under a contract to be formed with such institution by the commissioner of public buildings, twelve thousand dollars, or so much thereof as may be necessary.

For hire of carts on the public grounds, two thousand dollars.

For purchase and repair of tools used in the public grounds, four hundred dollars.

For purchase of trees and tree-boxes, to replace, when necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

For annual repairs of the capitol water-closets, and to put the proper number of water-closets in the upper stories, public stables, water-pipes, pavements, and other walks within the Capitol Square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, in addition to the sale of old material, twelve thousand dollars.

For grading and repairing Virginia Avenue, ten thousand dollars.

For keeping the spring and water-pipes which supply all the drinking water to the capitol in repair, and erecting a substantial wooden fence around the ground on which the spring at Smith's farm is, one thousand dollars.

For the capitol extension, two hundred thousand dollars.

For fuel, in part, for the President's house, five thousand dollars.

For lighting the capitol and President's house and public grounds around them, around the executive offices, and Pennsylvania Avenue, sixty thousand dollars.
For lighting Four-and-a-half Street across the Mall, and Maryland Avenue west, and Sixth Street south, fifteen thousand dollars: Provided, That the corporation of Washington city shall light their street lamps with seven-feet burners, twenty-one nights in each month, from dark until daylight, and that no part of this appropriation shall be disbursed until it is proved to the satisfaction of the commissioner of public buildings that said corporation have so lighted their street lamps.

For pay of lamp-lighters, gas-fitting, plumbing, lamp-posts, lanterns, glass, paints, matches, materials and repairs of all sorts, twenty thousand dollars.

For casual repairs of the Potomac, navy yard, and upper bridges, six thousand dollars.

For repairs of Pennsylvania Avenue, five thousand dollars.

For public reservation number two and Lafayette Square, in addition to the sale of hay which may be raised on the former, three thousand dollars.

For purchase of fuel for the centre building of the capitol, fifteen hundred dollars.

For erecting a new draw in the navy yard bridge, five thousand dollars.

For taking care of the grounds south of the President's house, continuing the improvement of the same, and repairing fences, three thousand dollars.

For repairs of water-pipes, five hundred dollars.

For cleaning and repairing sewer traps on Pennsylvania Avenue, three hundred dollars.

For casual repairs of all the furnaces under the capitol, five hundred dollars.

For under-draining the President's garden and capitol grounds, one thousand dollars.

To enable the commissioner of public buildings to so grade a portion of North Capitol Street as to relay the water-pipes leading from the government spring to the capitol, sufficiently below the grade as to secure from frost, and to relay said pipes, eight thousand one hundred and forty dollars.

For hauling manure for top-dressing the public grounds, five hundred dollars.

For the protection and improvement of Franklin Square, fifteen hundred dollars.

For watchman for Franklin Square, six hundred dollars.

For the compensation of eight extra clerks in the office of Indian affairs, under the acts of August fifth, eighteen hundred and fifty-four, March third, eighteen hundred and fifty-five, and March third, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, eleven thousand two hundred dollars.

For the continuation of the work upon the north portico of the patent office building, of fifty thousand dollars.

For additional contingent expenses of the northeast executive building, or the building occupied by the Secretary of State, including extra watchmen and laborers, six thousand dollars.

For salaries of commissioners under "An act to provide for the revision and consolidation of the statute laws of the United States," approved June twenty-seven, eighteen hundred and sixty-six, and for clerical services, and other incidental expenses, the printing to be done by the government printing office, twenty-five thousand dollars.

For the payment of temporary clerks of the first class in the office of the commissioner of pensions, under the direction of the Secretary of the Interior for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, twenty-five thousand dollars.
Rooms for pension office. To enable the Secretary of the Interior, at his discretion, to rent such rooms in the vicinity of the department for the use of the pension office as may be deemed necessary for the transaction of the business of that office, three thousand dollars.

Site and building for government purposes at Saint Paul, Minnesota. For the purchase of a site and the erection of a building at Saint Paul, Minnesota, for a custom-house, post office, the accommodation of the federal courts, and other necessary government purposes, the same to be expended under the direction of the Secretary of the Treasury, fifty thousand dollars.

Jail in the District of Columbia. - For the support and maintenance of the convicts transferred from the District of Columbia at such place or places as may be selected by the Secretary of the Interior, fifty thousand dollars.

For salary of warden of the jail in the District of Columbia, two thousand dollars for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, and the same is hereby authorized.

School-houses in Washington County. For the payment in part for the purchase of sites and the erection of school-houses in the county of Washington, in the District of Columbia, payable to the board of commissioners of primary schools of said county, the sum of ten thousand dollars.

Columbia hospital. For support of the Columbia Hospital for women and lying-in association, ten thousand dollars.

Revision of laws of District of Columbia. - To enable the Secretary of the Treasury to pay the persons employed by the committees on the District of Columbia of the two houses of Congress, under the provisions of the joint resolution approved June eighteen, eighteen hundred and sixty-four, entitled "A resolution to provide for the revision of the laws of the District of Columbia," the compensation provided in said resolution, two thousand dollars, or so much thereof as may be necessary for that purpose.

Smithsonian Institution. - For the preservation of the collections of the exploring and surveying expeditions of the government, four thousand dollars.

Washington aqueduct. - To complete the dam in the Potomac River at the head of the aqueduct, from the shore to Conn's Island, with cut stone, fifty-one thousand six hundred and eighty-seven dollars.

To complete the connecting conduit around and outside the receiving reservoir, seventy thousand eight hundred and ninety-seven dollars.

To finish gate-house at Great Falls, four thousand dollars.

For temporary dam at Conn's Island, one thousand dollars.

For management, miscellaneous, and contingents, fifteen thousand dollars.

Government Hospital for the Insane. - For the support, clothing, and medical treatment of the insane of the army and navy and the revenue cutter service, and of the indigent insane of the District of Columbia, at the government hospital for the insane in said District, including five hundred dollars for books, stationery, and incidental expenses, ninety thousand five hundred dollars.

For finishing, furnishing, and lighting additional accommodations in the east wing, in part unfinished, five thousand dollars.

For continuation of the wall enclosing the grounds, ten thousand dollars.

For the purchase and fencing fifty-six and one half acres of meadow land, lying near the hospital, provided the Secretary of the Interior shall approve of the purchase in view of the price and quality of the land, and the necessity of adding it to the hospital farm, six thousand dollars.

Patent office. - For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter; one thousand eight hundred dollars.

For preparing illustrations and descriptions for the report of the commissioner of patents, six thousand dollars.
Columbian Institution for the Deaf and Dumb. — For the support of the institution, including five hundred dollars for books and illustrative apparatus, twenty thousand seven hundred dollars.

For the erection, furnishing, and fitting up of two extensions to the buildings, to provide enlarged accommodations for the male and female pupils and the resident officers of the institution, thirty-two thousand two hundred and forty dollars.

For the erection of a brick barn, carriage-house, cow-house, shop, gas-house, and ice-house, fourteen thousand five hundred dollars.

For the improvement and enclosure of the grounds of the institution, including under-drainage and sewerage, four thousand five hundred dollars.

Providence Hospital, D. C. — For the purpose of aiding in the erection of an additional building to the Providence Hospital, in the city of Washington, thirty thousand dollars: Provided, That if the said property should ever be sold or diverted from the uses expressed in the act of Congress entitled “An act to incorporate Providence Hospital, of the city of Washington, District of Columbia,” approved April eighth, eighteen hundred and sixty-four, then the sum of thirty thousand dollars shall be first paid out of the proceeds thereof into the United States treasury to reimburse the sum hereby appropriated.

For the “National association for the relief of destitute colored women and children,” incorporated under an act of Congress approved February fourteenth, eighteen hundred and sixty-three, five thousand dollars, to be expended under the direction of the officers of the association.

To enable the commissioner of public buildings to reimburse the corporation of Washington for expenses incurred in improving streets and avenues passing through and by property of the general government, under the third section of the act approved May fifth, eighteen hundred and sixty-four, entitled “An act to incorporate the inhabitants of the city of Washington,” passed May fifteenth, eighteen hundred and twenty, forty-seven thousand two hundred and fifty-five dollars and eighty-one cents.

Congressional Library. — To complete the extension of the library of Congress, twenty-two thousand dollars.

For furniture for the two wings of the extension of the congressional library, and for sliding cases for illustrated books, ten thousand dollars.

For an additional appropriation, to be expended under the direction of the joint committee on the library, to decorate the capitol with such works of art as may be ordered and approved by said committee, as provided by act approved August eighteen, eighteen hundred and fifty-six, five thousand dollars.

For additional compensation of three laborers employed in the congressional library, commencing January one, eighteen hundred and sixty-six, five hundred and forty dollars; and the compensation of said laborers is hereby fixed at seven hundred and twenty dollars per annum.

For the purpose of erecting on the public land adjacent to the Treasury Department a fire-proof brick building to afford additional room for the Treasury Department, two hundred thousand dollars: Provided, That the Secretary of the Treasury be, and he hereby is, authorized to remove and sell at auction or otherwise any portion of the presses, machinery, and apparatus employed in the treasury buildings, which from the diminution of the volume of business or otherwise he may from time to time find to be no longer required. And the legal representatives of the corporation of Washington and Georgetown, and the portion of the county of Washington in the District of Columbia, not included in said corporations, be, and they are hereby, directed to provide and suitably furnish, without delay, a suitable room for the use of the orphan’s court, and two contiguous rooms and a fire-proof vault for the use of the register of wills in and for said county; and for the repayment of the expense to be incurred in executing the same.
A tax to be levied therefor.

General Post-office Building. — For completing the extension of the general post-office building, forty thousand dollars.

Surveys of public lands in Minnesota;

Dakota; For surveying the public lands in Dakota Territory, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines, fifteen thousand dollars.

Nebraska; For surveying the public lands in Nebraska Territory, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, fifteen thousand dollars.

Kansas; For surveying the public lands in Kansas, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, fifteen thousand dollars.

Colorado; For surveying the public lands in Colorado Territory, at rates not exceeding ten dollars per lineal mile for standard lines, eight dollars for township, and seven dollars for section lines, fifteen thousand dollars.

Nevada; For surveying the public lands in Nevada, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, fifteen thousand dollars.

For compensation of the surveyor-general of Nevada, three thousand dollars.

For compensation of the clerks in his office, five thousand dollars.

For office rent, messenger, furniture, books, fuel, stationery, and incidental expenses of office, three thousand dollars.

New Mexico; For surveying the public lands in New Mexico, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, five thousand dollars.

California; For surveying the public lands in California, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, twenty-five thousand dollars.

Oregon; For surveying the public lands in Oregon, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, fifteen thousand dollars.

Washington; For surveying the public lands in Washington Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, ten thousand dollars.

Montana; For surveying the public lands in Montana Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, ten dollars for township, and eight dollars for section lines, fifteen thousand dollars.

For compensation of the surveyor-general of Montana, three thousand dollars.

For compensation of clerks in his office, five thousand dollars.

For office rent, messengers, furniture, books, fuel, stationery, and incidental expenses of office, three thousand dollars.

Indian reservations.

For surveying Indian and other reservations, under treaty stipulations, at not exceeding fifteen dollars per mile, front boundaries, at ten dollars for township, and eight dollars per mile for section lines, fifty thousand dollars.

Collection of revenue from sales of public lands.

Expenses of Collection of Revenue from Sales of Public Lands. — For salaries and commissions of registers of land offices and receivers of public money, two hundred and six thousand one hundred dollars.

For incidental expenses of the several land offices, nineteen thousand four hundred dollars.
For necessary expenses incident to providing accommodations for internal revenue officers in existing United States fire-proof buildings, wherever possible, fifteen thousand dollars.

For the purchase, enclosure, and preservation of a parcel of ground at Des Moines, the capital of Iowa, as a site for the erection of a building for the use of the federal courts and for other federal offices, fifteen thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Interior.

For the government building at Portland, Maine, used as post office, custom-house, and for the United States courts, lately destroyed or rendered almost worthless by fire, to repair or rebuild the same as may prove most advisable, one hundred and fifty thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Treasury.

For this amount to be paid under the direction of the Secretary of the Interior, to enable the Seminoles to occupy, restore, and improve their farms, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, thirty thousand dollars.

For the purchase of agricultural implements, seeds, corn, and other stock, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, twenty thousand dollars.

For the erection of a mill, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, fifteen thousand dollars.

For interest on fifty thousand dollars from the date of the ratification of the treaty, at the rate of five per cent per annum, to be paid annually for the support of schools, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven.

For interest on twenty thousand dollars from the date of the ratification of the treaty, at the rate of five per cent per annum, to be paid annually for the support of the Seminole government, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven.

For this amount, to be expended for subsisting the Seminole Indians, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, forty thousand three hundred and sixty-two dollars.

For this amount, or so much thereof as may be necessary, to pay the losses that may be awarded under the provisions of article fourth of treaty March twenty-first, eighteen hundred and sixty-six, as per third article of said treaty, fifty thousand dollars.

For this amount, or so much thereof as may be necessary, to pay the expenses of a board of commissioners, to be appointed by the Secretary of the Interior, to investigate the losses of the loyal Seminole Indians, as per fourth article treaty of March twenty-first, eighteen hundred and sixty-six, seven hundred and twenty dollars.

For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause a census of each tribe to be taken, as per first clause seventh article treaty of March twenty-first, eighteen hundred and sixty-six, two thousand five hundred dollars.

For transportation of such articles as may be purchased under the direction of the Secretary of the Interior, for the Seminole Indians, under treaty of March twenty-first, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, twelve thousand dollars.

For this amount to be paid per capita in money, unless otherwise directed by the President, upon the ratification of the treaty, to enable the Indians to occupy, restore, and improve their farms; to pay the dam-
Creeks.
Post, Treaties, p. 196

ages sustained by the mission schools; and to pay the delegates of the council as per third article treaty of June fourteenth, eighteen hundred and sixty-six, two hundred thousand dollars.

For interest on seven hundred and seventy-five thousand one hundred and sixty-eight dollars from the date of the ratification of the treaty at the rate of five per cent per annum to be expended under the direction of the Secretary of the Interior, as per third article treaty of June fourteenth, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven.

For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause the line dividing the Creek country as provided for by the terms of the sale of the Creek land to the United States in article third, as per eighth article treaty of June fourteenth, eighteen hundred and sixty-six, four thousand dollars.

For the erection of agency buildings, as per ninth article treaty of June fourteenth, eighteen hundred and sixty-six, ten thousand dollars.

For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause a census of the Creeks to be taken, as per first clause, tenth article treaty of June fourteenth, eighteen hundred and sixty-six, two thousand five hundred dollars.

For this amount, or so much thereof as may be necessary, to pay the expenses incurred in negotiating treaty of June fourteenth, eighteen hundred and sixty-six, four thousand dollars.

For transportation of such articles as may be purchased for the Creek nation of Indians under treaty of June fourteenth, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, seven thousand dollars.

Office of the United States depositary at
Louisville;

For salary of cashier, one thousand eight hundred dollars.
For salary of book-keeper, one thousand five hundred dollars.
For salary of assistant cashier, one thousand three hundred and twenty dollars.
For salary of clerk, one thousand three hundred and twenty dollars.
For contingent expenses, six hundred and twenty-five dollars.

Office United States depositary, Chicago:

For salary of cashier, one thousand six hundred dollars.
For salary of clerk, one thousand dollars.
For contingent expenses, four hundred dollars.

Office United States depositary, Pittsburg:

For salary of cashier, one thousand five hundred dollars.
For salary of assistant cashier, one thousand dollars.
For salary of watchman, nine hundred dollars.
For contingent expenses, two hundred dollars.

Office United States depositary, Baltimore:

For salary of cashier, one thousand eight hundred dollars.
For salary of clerk, one thousand five hundred dollars.
For salary of clerk, one thousand two hundred dollars.
For salary of clerk, one thousand dollars.
For salary of messenger, nine hundred dollars.
For contingent expenses, three hundred and sixty dollars.

Office United States assistant treasurer, San Francisco:

For salary of cashier, two thousand five hundred dollars.
For salary of book-keeper, two thousand dollars.
Office United States depositary, Cincinnati:
For salary of assistant cashier, one thousand five hundred dollars.
For salary of assistant cashier, one thousand two hundred dollars.
For salary of assistant cashier, one thousand dollars.
For salary of teller, one thousand three hundred dollars.
For salary of book-keeper, one thousand five hundred dollars.
For salary of two clerks, two thousand five hundred dollars.
For salary of clerk, one thousand two hundred dollars.
For contingent expenses, two thousand dollars.

That so much of any money in the treasury known as the "commutation fund" as may be necessary be, and the same is hereby, appropriated for the payment to loyal persons claiming service or labor from colored volunteers or drafted men, the amounts heretofore, or hereafter to be awarded them under the provisions of section twenty-fourth of the act entitled "An act to amend an act entitled an act for enrolling and calling volunteers or drafted men. For salary of assistant cashier, one thousand two hundred dollars. For salary of teller, one thousand three hundred dollars. For salary of book-keeper, one thousand five hundred dollars. For salary of two clerks, two thousand five hundred dollars. For salary of clerk, one thousand two hundred dollars.
For contingent expenses, two thousand dollars.

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That so much of any money in the treasury known as the "commutation fund" as may be necessary be, and the same is hereby, appropriated for the payment to loyal persons claiming service or labor from colored volunteers or drafted men, the amounts heretofore, or hereafter to be awarded them under the provisions of section twenty-fourth of the act entitled "An act to amend an act entitled an act for enrolling and calling volunteers or drafted men. For salary of assistant cashier, one thousand two hundred dollars. For salary of teller, one thousand three hundred dollars. For salary of book-keeper, one thousand five hundred dollars. For salary of two clerks, two thousand five hundred dollars. For salary of clerk, one thousand two hundred dollars.
For contingent expenses, two thousand dollars.

That so much of any money in the treasury known as the "commutation fund" as may be necessary be, and the same is hereby, appropriated for the payment to loyal persons claiming service or labor from colored volunteers or drafted men, the amounts heretofore, or hereafter to be awarded them under the provisions of section twenty-fourth of the act entitled "An act to amend an act entitled an act for enrolling and calling volunteers or drafted men. For salary of assistant cashier, one thousand two hundred dollars. For salary of teller, one thousand three hundred dollars. For salary of book-keeper, one thousand five hundred dollars. For salary of two clerks, two thousand five hundred dollars. For salary of clerk, one thousand two hundred dollars.
For contingent expenses, two thousand dollars.

That so much of any money in the treasury known as the "commutation fund" as may be necessary be, and the same is hereby, appropriated for the payment to loyal persons claiming service or labor from colored volunteers or drafted men, the amounts heretofore, or hereafter to be awarded them under the provisions of section twenty-fourth of the act entitled "An act to amend an act entitled an act for enrolling and calling volunteers or drafted men. For salary of assistant cashier, one thousand two hundred dollars. For salary of teller, one thousand three hundred dollars. For salary of book-keeper, one thousand five hundred dollars. For salary of two clerks, two thousand five hundred dollars. For salary of clerk, one thousand two hundred dollars.
For contingent expenses, two thousand dollars.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 296. 1866.

Sec. 7. And be it further enacted, That the Secretary of the Navy be, and he is hereby, authorized to dispose of the property saved from the rebel steamer Florida, and distribute the proceeds thereof as other prize money is required by law to be distributed.

Sec. 8. And be it further enacted, That midshipmen and acting midshipmen in the navy of the United States shall be entitled to one ration, or commutation therefor.

Sec. 9. And be it further enacted, That so much of the act approved March third, eighteen hundred and sixty-three, entitled "An act making appropriations for sundry civil expenses of the government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the thirtieth of June, eighteen hundred and sixty-three, and for other purposes," as appropriates three thousand seven hundred and fifty dollars for a minister resident in Greece, be and the same is hereby repealed.

Sec. 10. And be it further enacted, That there is hereby appropriated for the payment of travelling expense of the members of the first regiment of Michigan cavalry from the place, in Utah Territory, where they were mustered out of service, in the year eighteen hundred and sixty-six, to the place of their enrolment, a sum sufficient to allow each member three hundred and twenty-five dollars, deducting therefrom the amount paid to each for commutation of travel, pay, and subsistence by the government, when thus mustered out, and that the accounts be settled and paid under the direction of the Secretary of War.

Sec. 11. And be it further enacted, That the provisions of the act to carry into effect the treaties between the United States and China, Japan, Siam, Persia, and other countries, giving certain judicial powers to ministers and consuls, or other functionaries of the United States, in those countries, and for other purposes, approved, June twenty-second, eighteen hundred and sixty, shall extend to Egypt; and the consul-general at Alexandria shall have the power provided by section twenty-two of such act for the consul-general or consul residing at the capital of a country where there is no minister.

Sec. 12. And be it further enacted, That each and every soldier who enlisted into the army of the United States, after the nineteenth day of April, eighteen hundred and sixty-one, for a period of not less than three years, and having served the time of his enlistment has been honorably discharged, and who has received or who is entitled to receive from the United States under existing laws, a bounty of one hundred dollars and no more, and any such soldier enlisted for not less than three years, who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children or parents, in the order named, of any such soldier who died in the service of the United States or of disease or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of one hundred dollars hereby authorized.

Sec. 13. And be it further enacted, That to each and every soldier who enlisted into the army of the United States, after the fourteenth day of April, eighteen hundred and sixty-one, for a period of not less than two years and who is not included in the foregoing section, and has been honorably discharged after serving two years, and who has received or is entitled to receive from the United States, under existing laws, a bounty of one hundred dollars and no more, and any such soldier enlisted for not less than two years who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents, in the order named, of any such soldier who died in the service of the United States,
or of disease, or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of fifty dollars hereby authorized.

**SEC. 14. And be it further enacted,** That any soldier who shall have bartered, sold, assigned, transferred, loaned, exchanged, or given away his final discharge papers, or any interest in the bounty provided by this or any other act of Congress, shall not be entitled to receive any additional bounty whatever; and when application is made by any soldier for said bounty, he shall be required, under the pains and penalties of perjury, to make oath or affirmation of his identity, and that he has not so bartered, sold, assigned, transferred, exchanged, loaned, or given away either his discharge papers, or any interest in any bounty as aforesaid. And no claim for such bounty shall be entertained by the paymaster-general, or other accounting or disbursing officer except upon receipt of the claimant's discharge papers, accompanied by the statement under oath, as by this section provided.

**SEC. 15. And be it further enacted,** That in the payment of the additional bounty herein provided for, it shall be the duty of the paymaster-general, under such rules and regulations as may be prescribed by the Secretary of War, to cause to be examined the accounts of each and every soldier who makes application therefor, and if found entitled there-to shall pay said bounties.

**SEC. 16. And be it further enacted,** That in the reception, examination, settlement, and payment of claims for said additional bounty due the widows or heirs of deceased soldiers, the accounting officers of the treasury shall be governed by the restrictions prescribed for the paymaster-general by the Secretary of War, and the payment shall be made in like manner under the direction of the Secretary of the Treasury.

**SEC. 17. And be it further enacted,** That the compensation of each senator, representative, and delegate in Congress shall be five thousand dollars per annum, to be computed from the first day of the present Congress, and in addition thereto mileage at the rate of twenty cents per mile, to be estimated by the nearest route usually travelled in going to and returning from each regular session; but nothing herein contained shall affect mileage accounts already accrued under existing laws: Provided, That hereafter mileage accounts of senators shall be certified by the president of the Senate, and those of representatives and delegates by the speaker of the House of Representatives: And provided further, That the pay of the speaker shall be eight thousand dollars per annum.

**SEC. 18. And be it further enacted,** That there be allowed and paid to the officers, clerks, committee clerks, messengers, and all other employees of the Senate and House of Representatives, and to the Globe and official reporters of each house, and to the stenographer of the House, and to the capitol police, and the three superintendents of the public gardens, their clerks and assistants, and to the librarian, assistant librarians, messengers, and other employees of the congressional library, an addition of twenty per cent on their present pay, to commence with the present Congress; and the amount necessary to pay this allowance is hereby appropriated out of any money in the treasury not otherwise appropriated.

**SEC. 19. And be it further enacted,** That the sum of eight thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated for the preservation of the harbor of Provincetown, Massachusetts, the same to be expended under the supervision of a commission or board of officers to be appointed by the Secretary of War.

**APPROVED, July 28, 1866.**
July 28, 1866.

CHAP. CCXCVII. — An Act to supply Deficiencies in the Appropriations for the Service of the Fiscal Year ending June thirty, eighteen hundred and sixty-six, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-six, out of any money in the treasury not otherwise appropriated.

Executive. — For contingent expenses of the executive office, including stationery thereof, four thousand dollars.

Treasury Department. — Office of the first comptroller: For the employment of temporary clerks in said office, two thousand five hundred dollars.

Office of comptroller of the currency:

For compensation of the comptroller, deputy comptroller, clerks, messengers, and laborers, thirty thousand dollars.

Light-House Board. — For contingent expenses, viz: For stationery, miscellaneous expenses, and postage, and renewing furniture and cases in the office, one thousand dollars.

For stationery for the Treasury Department and its various bureaus, twenty thousand dollars.

For southeast executive building, including the extension, viz: For fuel, labor, light, and miscellaneous items, twenty thousand dollars.

For rent of buildings for the accommodation of clerks who cannot be accommodated in the treasury building, five thousand dollars.

Department of the Interior. — For additional compensation for the assistant secretary, five hundred dollars.

For compiling and supervising the Biennial Register, five hundred dollars.

Post Office Department. — For additional compensation to three assistant postmasters general, at five hundred dollars each, fifteen hundred dollars.

For compensation of the additional clerks in the Post Office Department, authorized to be appointed by act of Congress approved February sixteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, two thousand dollars.

For twenty per centum additional to the salaries of female clerks employed in the Post Office Department, as per act of June twenty-fifth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, four thousand dollars: Provided, That from and after June thirtieth, eighteen hundred and sixty-six, the regular compensation of the female folders in the dead-letter office shall be at the rate of fifty dollars per month.

For twenty per centum additional to the salaries of the laborers employed in the Post Office Department, and paid from the contingent fund, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, two thousand dollars.

District Attorneys. — For compensation of attorney for the eastern district of New York, from March second, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six, two hundred and fifty dollars.

For mail steamship service between the United States and Brazil, from November first, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six, one hundred thousand dollars, or so much thereof as may be due.

Watchmen for dome of capitol.

For compensation of three watchmen for the dome of the capitol, at
seven hundred and twenty dollars each, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, twenty-one hundred and sixty dollars.

For navy hospital at Washington, District of Columbia, thirty thousand dollars.

The compensation of the deputy solicitor of the court of claims shall be, from and after June thirty, eighteen hundred and sixty-six, three thousand and five hundred dollars, payable quarterly out of any money in the treasury not otherwise appropriated.

General Land Office. — To supply the deficiency for salaries and commissions of registers and receivers of the district land offices for the year ending June thirtieth, eighteen hundred and sixty-six, forty thousand dollars.

For salary of marshal of the eastern district of New York from March twenty-second, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six, two hundred and fifty-five dollars and fifty-five cents.

Public Buildings and Grounds. — To complete the sewer through the botanic garden, fifteen thousand dollars: Provided, That the commissioner of public buildings shall advertise for two weeks for sealed proposals for the performance of such work and the furnishing of materials therefor in the two newspapers in the city of Washington authorized to publish the official advertisements, and at the expiration of such time, on a day to be specified in such advertisement, the proposals shall be opened by the commissioner of public buildings in the presence of the Secretary of the Interior, and the work shall then be let to the person who shall have offered to do the same and furnish the materials at the lowest rates and aggregate, and who shall give proper security for the performance of his contract; and the commissioner of public buildings is hereby required to report to Congress at the commencement of the next session a full statement of the expenditure of the present and past appropriations for this work, with the rates that have been paid for work and materials under each appropriation.

To enable the commissioner of public buildings to reconstruct the lower water-closets of the supreme court room, to place marble around the furnace register, by way of protection, and to make such other improvements as the chief justice of the court may desire, one thousand five hundred dollars.

To repair the planking and for other repairs to Long Bridge, over the Potomac, three thousand dollars.

For iron seats for the public grounds, one thousand dollars.

To enable the commissioner of public buildings to make such alterations in the arrangement, of the business offices in the President's house as the President may desire, two thousand dollars.

For repair of one of the greenhouses at the President's, five hundred dollars.

For annual repairs of the President's house, six thousand dollars, for the year ending June thirtieth, eighteen hundred and sixty-seven.

To complete the repairing and furnishing of the President's house, twenty thousand dollars.

To meet a deficiency in lighting Bridge and High streets, Georgetown, for the three months of the last fiscal year, eleven hundred dollars.

To so alter the roof-gutters at the President's house as to prevent injury by overflow of water, three thousand dollars.

For the additional twenty per cent compensation to the messenger of the court of claims from January twenty-ninth to June thirtieth, eighteen hundred and sixty-six, sixty-seven dollars and twenty cents.

To ventilate the bath-room of the House of Representatives, two hundred dollars.
To alter and repair the building in the city of Philadelphia belonging to the United States, known as the Pennsylvania bank building, so as to render it suitable for the occupancy of the appraisers connected with the customs at Philadelphia, under the direction of the Secretary of the Treasury, twenty thousand dollars.

Indian Department.—Miscellaneous.—For the general incidental expenses of Indian service in Nevada, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars; of which amount the sum of nine thousand seven hundred and twenty-three dollars shall be paid to James W. Nye, late governor and superintendent of Indian affairs for Nevada, for balance found due him.

For additional compensation to the publishers of the statutes at large, twenty-four hundred and fifty-seven dollars and twenty-one cents.

Payment to James W. Nye.

Statistics at large.

To pay the salary of Edward Jarvis, from January first, eighteen hundred and sixty-five, to May thirty-first, eighteen hundred and sixty-five, for digesting the facts as to mortality and diseases, collected by the census marshals in eighteen hundred and sixty-six, seven hundred and sixty-five dollars.

Office of Secretary of State.

To enable the Secretary of State to remove his office and contents, twenty-five thousand dollars, in addition to the sum heretofore appropriated.

To enable the Secretary of War to make the pay of the persons employed at any time during the last fiscal year as temporary clerks in the office of the quartermaster-general, or any division thereof, equal to the pay of first-class clerks, which is hereby directed, such sum as may be necessary for this purpose.

To enable the Secretary of the Interior to pay the reasonable costs and expenses actually paid or incurred by the delegates of the Southern Cherokees in coming to and going from Washington, and during their stay in and about the negotiation upon the formation of treaties of peace and amity with the Indian tribes, a sum not exceeding ten thousand dollars.

Provided, That said sum shall be refunded to the treasury from the proceeds of the sales of the Cherokee neutral lands in Kansas.

SEC. 2. And be it further enacted, That for increased compensation of the chief justice and associate justices of the supreme court of the District of Columbia, authorized by the second section of the act of June first, eighteen hundred and sixty-six, from the first day of June, eighteen hundred and sixty-six, to the thirtieth day of June, eighteen hundred and sixty-six, the sum of three hundred and seventy-four dollars and sixty-five cents is hereby appropriated.

SEC. 3. And be it further enacted, That the sum of thirty-two thousand dollars be, and is hereby, appropriated to enable the Secretary of the Interior to quiet the title of the occupants of the following lands, conveyed by the United States to Joseph Richardville, senior, and Joseph Richardville, junior, by treaty at Saint Mary's, October sixth, eighteen hundred and eighteen, to wit: The west half of section number twenty-six, the east half of section number twenty-eight, and section number twenty-seven, of township five south, range four east, lying in the county of Auglaize and State of Ohio.

SEC. 4. And be it further enacted, That whereas doubts have arisen whether the fourth section of the act approved March third, eighteen hundred and sixty-five, entitled, "An act to amend an act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirtieth, eighteen hundred and sixty-four, and sixty-four, authorized disbursing agents to disburse other moneys than those appropriated in the said fourth section: therefore, for the purpose of removing such doubts and declaring the true intent and meaning
of said fourth [section], the said fourth section shall be deemed, held, and
construed as being and remaining in full force and effect from and after
the third day of March, eighteen hundred and sixty-five, until the same
shall have been modified or repealed, and as authorizing the disburse-
ment through such agents of moneys heretofore appropriated, and that
may hereafter be appropriated, for the payment of the lawful expenses
incident to carrying into effect the various acts relative to the assessment
and collection of the internal revenues; and all bonds and obligations
heretofore entered into by collectors of internal revenue as disbursing
agents shall be binding and obligatory upon such collectors and their
sureties, as well in respect to moneys which have been or may hereafter
be received by said collectors as such disbursing agents as to moneys ap-
propriated in the said fourth section.

Sec. 5. And be it further enacted, That the capitol police and two
policemen at the executive mansion shall be entitled to the increased
compensation allowed by law to officers, clerks, messengers, and others in
the employ of the House of Representatives.

Sec. 6. And be it further enacted, That the following sums be appro-
priated out of any money in the treasury not otherwise appropriated, viz:

For compensation of the depositary at Santa Fe, New Mexico, per act
of March third, eighteen hundred and sixty-three, one thousand dollars.

For salaries of additional clerks and additional compensation of officers
and clerks, under act of August sixth, eighteen hundred and forty-six, at
such rates as the Secretary of the Treasury may deem just and reason-
able, ten thousand dollars.

For compensation of two superintendents for the life-saving stations on
the coasts of Long Island and New Jersey, per acts December fourteenth,
eighteen hundred and fifty-four, and August eighteenth, eighteen hundred
and fifty-six, two thousand five hundred dollars.

For compensation of fifty-four keepers of stations, per same acts, six
thousand dollars.

For salary of the superintendent of the building occupied by the quar-
termaster-general's office, two hundred dollars for the current fiscal year.

For contingent expenses of the Senate, six thousand dollars.

For additional messengers during the session, five thousand dollars.

Sec. 7. And be it further enacted, That the Secretary of War be di-
rected to cause estimates to be made for the erection of suitable fire-proof
buildings for the War Department in Washington, stating the location and
price of the land, and plans and cost of necessary buildings, to be reported
at the next session of Congress.

Sec. 8. And be it further enacted, That section four of the act entitled
"An act to provide for the payment of horses and other property lost or
destroyed in the service of the United States," approved March three,
eighteen hundred and forty-nine, be amended by striking out all after the
enacting clause, and in lieu thereof inserting the words: "That the said
auditor shall, in all cases, transmit his adjustment, with all the papers re-

ing thereto, to the second comptroller, for his revision and decision
thereon, the same in all respects as is provided in the act of the second
of September, eighteen [seventeen] hundred and eighty-nine."

Sec. 9. And be it further enacted, That the sum of five thousand dol-

ors be and the same is hereby appropriated, out of any money in the
treasury not otherwise appropriated, to defray the expense of continuing
the index to Senate list of private claims to the present Congress,
in pursuance of the order of the Senate, dated March sixteen, eighteen
hundred and sixty-six.

Approved, July 28, 1866.
July 28, 1866.

CHAP. CCXCVIII — An Act to protect the Revenue, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the tenth day of August, eighteen hundred and sixty-six, in lieu of the duties now imposed by law on the articles mentioned and embraced in this section, there shall be levied, collected, and paid, on all goods, wares, and merchandise imported from foreign countries, the duties hereinafter provided, viz:

On cigars, cigarettes, and cheroots of all kinds, three dollars per pound; and, in addition thereto, fifty per centum ad valorem: Provided, that paper cigars and cigarettes, including wrappers, shall be subject to the same duties as are herein imposed upon cigars: And provided further, That on and after the first day of August, eighteen hundred and sixty-six, no cigars shall be imported unless the same are packed in boxes of not more than five hundred cigars in each box; and no entry of any imported cigars shall be allowed, unless they shall have been inspected and a stamp affixed to each box indicating such inspection, with the date thereof. And the Secretary of the Treasury is hereby authorized to provide the requisite stamps, and to make all necessary regulations for carrying the above provisions of law into effect;

On cotton, three cents per pound:

On all compounds or preparations of which distilled spirits is a component part of chief value, there shall be levied a duty not less than that imposed upon distilled spirits: Provided, That brandy and other spirituous liquors may be imported in casks or other packages of any capacity not less than thirty gallons; and that wine in bottles may be imported in boxes containing not less than one dozen bottles of not more than one quart each; and wine, brandy, or other spirituous liquor imported into the United States, and shipped after the first day of October, eighteen hundred and sixty-six, in any less quantity than herein provided for, shall be forfeited to the United States.

SEC. 2. And be it further enacted, That the second proviso in section four of an act entitled “An act amendatory of certain acts imposing duties upon foreign importations,” approved March three, eighteen hundred and sixty-five, shall be construed to include any ship, vessel or steamer to pay tonnage or from any port in the Sandwich Islands or Society Islands.

SEC. 3. And be it further enacted, That so much of an act entitled “An act to authorize protection to be given to citizens of the United States who may discover deposits of guano,” approved August eighteen, hundred and fifty-six, as prohibits the export thereof, is hereby suspended in relation to all persons who have complied with the provisions of section second of said act, for five years from and after the fourteenth day of July, eighteen hundred and sixty-seven.

SEC. 4. And be it further enacted, That all laws and parts of laws allowing fishing bounties to vessels hereafter licensed to engage in the fisheries be, and the same are hereby, repealed: Provided, That, from and after the date of the passage of this act, vessels licensed to engage in the fisheries may take on board imported salt in bond to be used in curing fish, under such regulations as the Secretary of the Treasury shall prescribe, and upon proof that said salt has been used in curing fish, the duties on the same shall be remitted.

GOODS ARRIVING AT DESIGNATED PORTS, DESTINED FOR PLACES IN ADJACENT PROVINCES, &c.

Goods arriving at designated ports, destined for places in adjacent provinces, &c., may be entered and carried through, &c.
may be specially designated by the Secretary of the Treasury, and des-
tined for places in the republic of Mexico, may be entered at the custom-
house, and conveyed, in transit, through the territory of the United States,
without the payment of duties, under such rules, regulations, and condi-
tions for the protection of the revenue as the Secretary of the Treasury
may prescribe.

SEC. 6. And be it further enacted, That imported goods, wares, or
merchandise in bond, or duty paid, and products or manufactures of the
United States, may, with the consent of the proper authorities of the prov-
ces or republic aforesaid, be transported from one port or place in the
United States to another port or place therein, over the territory of said
provinces or republic, by such routes, and under such rules, regulations
and conditions as the Secretary of the Treasury may prescribe; and the
goods, wares, and merchandise, so transported, shall, upon arrival in the
United States from the provinces or republic aforesaid, be treated in re-
gard to the liability to or exemption from duty, or tax, as if the transport-
ated was entirely within the limits of the United States.

SEC. 7. And be it further enacted, That whenever it shall be shown to
the satisfaction of the Secretary of the Treasury that more moneys have
been paid to the collector of customs, or others acting as such, than the
law requires, and the parties have failed to comply with the requiremen-
ts of the fourteenth and fifteenth sections of the act entitled "An act to in-
crease the duties on imports, and for other purposes," approved June thir-
tieth, eighteen hundred and sixty-four, and the Secretary of the Treasury
shall be satisfied that said non-compliance with the requirements as above
stated was owing to circumstances beyond the control of the importer, con-
signee, or agent making such payments, he may draw his warrant upon
the treasurer in favor of the person or persons entitled to the overpay-
ment, directing the said treasurer to refund the same out of any money in
the treasury not otherwise appropriated.

SEC. 8. And be it further enacted, That the provisions of the second,
third, and fourth sections of the act approved March second, eighteen hun-
dred and thirty-three, entitled "An act further to provide for the collec-
tion of duties on imports," and of the twelfth section of the act approved
March third, eighteen hundred and sixty-three, entitled "An act to pre-
vent and punish frauds upon the revenue, to provide for the more certain
and speedy collection of claims in favor of the United States, and for
other purposes," shall be taken and deemed as extending to and embracing
all cases arising or which may have heretofore arisen, and all suits and
prosecutions heretofore brought and now pending, or which may hereafter
be brought against any officer of the United States or other person by
reason of any acts done or proceedings had by such officer or other person,
under authority or color of the act approved March twelve, eighteen hun-
dred and sixty-three, entitled "An act to provide for the collection of
abandoned property, and for the prevention of frauds in insurrectionary
districts within the United States," or the act approved July two, eighteen
hundred and sixty-four, entitled "An act in addition to the several acts
concerning commercial intercourse between loyal and insurrectionary
States, and to provide for the collection of captured and abandoned prop-
erty, and the prevention of frauds in States declared in insurrection ";
Provided, That such acts done or proceedings had under the two acts last
aforesaid, or under color thereof, shall have been done and had under the
authority or by the direction of the executive government of the United
States: And provided further, That when a recovery shall have been, or
shall hereafter be, had in any such suit or prosecution brought, or which
may hereafter be brought, as aforesaid, the payment of the amount re-
covered, as provided for in the said twelfth section of the act approved
March third, eighteen hundred and sixty-three, aforesaid, shall be made
goods, with
consent of
authorities of
provinces, &c.,
may be carried
across their ter-
ritory from one
place to another
in the United
States.

Excess of
moneys paid for
duties, when
may be refund-
ed, without com-
pliance with
certain forms of
law.
Vol. xii. p. 632.
1864, ch. 120, §§
3, 4.
1865, ch. 120.
1866, ch. 225.
Vol. xiii. p. 570.

The protection
given to revenue
officers extends
to persons acting
by direction of
the executive
under the laws
for the collection
of abandoned
property, &c.
1833, ch. 57, §§
12.

Amounts re-
covered in suits
against such
officers, to be
paid out of pro-
cceeds of sales and
leases, &c.
THIRTY-NINTH CONGRESS. Sess. I. Ch. 298. 1869.

leases and fees collected and paid over to the government under the two
acts approved March twelve, eighteen hundred and sixty-three, and July
second, eighteen hundred and sixty-four, aforesaid, in relation to captured
and abandoned property.

Sec. 9. And be it further enacted, That in determining the dutiable
value of merchandise hereafter imported, there shall be added to the cost,
or to the actual wholesale price or general market value at the time of
exportation in the principal markets of the country from whence the same
shall have been imported into the United States, the cost of transportation,
shipment, and transhipment, with all the expenses included from the
place of growth, production, or manufacture, whether by land or water, to
the vessel in which shipment is made to the United States; the value of
the sack, box, or covering of any kind in which such goods are contained;
commission at the usual rates, but in no case less than two and a half per
cent; brokerage, export duty, and all other actual or usual charges for
putting up, preparing, and packing for transportation or shipment. And
all charges of a general character incurred in the purchase of a general in-
voice shall be distributed pro rata among all parts of such invoice; and
every part thereof charged with duties based on value shall be advanced
according to its proportion, and all wines or other articles paying specific
duty by grades shall be graded and pay duty according to the actual value
so determined: Provided, That all additions made to the entered value
of merchandise for charges shall be regarded as part of the actual value
of such merchandise, and if such addition shall exceed by ten per cent
the value so declared in the entry, in addition to the duties imposed by
law, there shall be levied, collected, and paid a duty of twenty per cent
on such value: Provided, That the duty shall in no case be assessed
upon an amount less than the invoice or entered value: Provided fur-
ther, That nothing herein contained shall apply to long-combing or carpet
wools costing twelve cents or less per pound, unless the charges so added
shall carry the cost above twelve cents per pound, in which case, one cent
per pound duty shall be added.

Sec. 10. And be it further enacted, That the second proviso in section
twenty-one of an act entitled "An act increasing temporarily the duties
on imports, and for other purposes," approved July fourteen, eighteen
hundred and sixty-two, which provides that any goods remaining in pub-
lic store or bonded warehouse beyond three years shall be regarded as
abandoned to the government, and sold under such regulations as the Sec-
retary of the Treasury may prescribe, and the proceeds paid into the
treasury, be, and the same is hereby, amended so as to authorize the Sec-
retary of the Treasury, in case of any sale under the said provision, to
pay to the owner, consignee, or agent of such goods, the proceeds thereof,
after deducting duties, charges, and expenses, in conformity with the pro-
vision of the first section of the warehouse act of August six, eighteen
hundred and forty-six.

Sec. 11. And be it further enacted, That during [the] period of one
year from the passage of this act, there may be imported into the United
States, free of duty, any machinery designed solely for and adapted to the
manufacture of sugar from beets, including all the preliminary processes
requisite therefor, but not including any machinery which may be used
for any other manufactures.

Sec. 12. And be it further enacted, That upon the reapportionment
of articles once exported of the growth, produce, or manufacture of the United
States, upon which no internal tax has been assessed or paid, or upon
which such tax has been paid and refunded by allowance or drawback,
there shall be levied, collected, and paid a duty equal to the tax imposed
by the internal revenue laws upon such articles.

Sec. 13. And be it further enacted, That there shall be established in
and attached to the department of the treasury a bureau to be styled "the
bureau of statistics," and the Secretary of the Treasury is hereby authorized to appoint a director to superintend and control the business of said bureau, who shall be paid an annual salary of thirty-five hundred dollars. And it shall be the duty of the director of the bureau of statistics to prepare the report on the statistics of commerce and navigation, exports and imports, now required by law to be submitted annually to Congress by the Secretary of the Treasury; and said report, embracing the returns of the commerce and navigation, the exports and imports of the United States to the close of the fiscal year, shall be submitted to Congress in a printed form on or before the first day of December next succeeding; and the said director, as soon as practicable after the organization of this office shall, under the direction of the Secretary of the Treasury, prepare and publish monthly reports of the exports and imports of the United States, including the quantities and values of goods warehoused or withdrawn from warehouse, and such other statistics relative to the trade and industry of the country as the Secretary of the Treasury may consider expedient. And the director of the bureau of statistics shall also prepare an annual statement of vessels registered, enrolled, and licensed under the laws of the United States, together with the class, name, tonnage, and place of registry of each vessel, and such other information as the Secretary of the Treasury may deem proper to embody therein; and to enable the said director to furnish the information required, the Secretary of the Treasury shall have power, under such regulations as he shall prescribe, to establish and provide a system of numbering vessels so registered, enrolled, and licensed; and each vessel so numbered shall have her number deeply carved or otherwise permanently marked on her main beam; and if at any time she shall cease to be so marked, such vessel shall be no longer recognized as a vessel of the United States. The said director shall also prepare an annual statement of all merchandise passing in transit through the United States to foreign countries, each description of merchandise, so far as practicable, warehoused, withdrawn from warehouse for consumption, for exportation, for transportation to other districts, and remaining in the warehouse at the end of each fiscal year. It shall be the further duty of said director to collect, digest, and arrange, for the use of Congress, the statistics of the manufactures of the United States, their localities, sources of raw material, markets, exchanges with the producing regions of the country, transportation of products, wages, and such other conditions as are found to affect their prosperity; and to aid him in the discharge of these duties, the several clerks now employed in the preparation of statistics in the treasury department, or any bureau thereof, may be placed under his supervision and direction; and, in addition, the Secretary of the Treasury shall detail such other clerks as may be necessary to fully carry out the provisions of this act. And the expenses of the bureau of statistics for clerical service, publication of reports, stationery, books, and statistical periodicals and papers required by the bureau, shall be defrayed on the order and approval of the Secretary of the Treasury, out of any moneys in the treasury not otherwise appropriated. And all letters and documents to and from the director of the bureau of statistics, relating to the duties and business of his office, shall be transmitted by mail free of postage.

SEC. 14. And be it further enacted, That the Secretary of the Treasury be authorized to suspend the collection, in any of the States heretofore declared in insurrection, of the direct tax imposed by an act of Congress passed August fifth, eighteen hundred and sixty-one, entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," until January first, eighteen hundred and sixty-eight. 

Approved, July 28, 1866.
July 28, 1866

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the military peace establishment of the United States shall hereafter consist of five regiments of artillery, ten regiments of cavalry, forty-five regiments of infantry, the professors and corps of cadets of the United States Military Academy, and such other forces as shall be provided for by this act, to be known as the Army of the United States.

SEC. 2. And be it further enacted, That the five regiments of artillery provided for by this act shall consist of the five regiments now organized; and the first, second, third, and fourth regiments of artillery shall have the same organization as is now prescribed by law for the fifth regiment of artillery; but the regimental adjutants, quartermasters, and commissaries shall hereafter be extra lieutenants selected from the first or second lieutenants of the regiment.

SEC. 3. And be it further enacted, That to the six regiments of cavalry now in service there shall be added four regiments, two of which shall be composed of colored men, having the same organization as is now provided by law for cavalry regiments, with the addition of one veterinary surgeon to each regiment, whose compensation shall be one hundred dollars per month; but the grade of company commissary sergeant of cavalry is hereby abolished. The original vacancies in the grade of first and second lieutenant shall be filled by selection from among the officers and soldiers of volunteer cavalry, and two thirds of the original vacancies in each of the grades above that of first lieutenant shall be filled by selections from among the officers of volunteer cavalry, and one third from officers of the regular army, all of whom shall have served two years in the field during the war, and have been distinguished for capacity and good conduct; any portion of the cavalry force may be armed and drilled as infantry or dismounted cavalry at the discretion of the President, and each cavalry regiment shall hereafter have one hospital steward, and the regimental adjutants, quartermasters, and commissaries shall hereafter be extra lieutenants selected from the first or second lieutenants of the regiment.

SEC. 4. And be it further enacted, That the forty-five regiments of infantry provided for by this act shall consist of the first ten regiments, of ten companies each, now in service; of twenty-seven regiments, of ten companies each, to be formed by adding two companies to each battalion of the remaining nine regiments; and of eight new regiments, of ten companies each, four regiments of which shall be composed of colored men and four regiments of ten companies each to be raised and officered as hereinafter provided for, to be called the veteran reserve corps; and all the original vacancies in the grades of first and second lieutenant shall be filled by selection from among the officers and soldiers of volunteers, and one half the original vacancies in each of the grades above that of first lieutenant shall be filled by selection from among the officers of volunteer artillery, and the remainder from officers of the regular army, all of whom shall have served two years during the war, and have been distinguished for capacity and good conduct in the field. The veteran reserve corps shall be officered by appointments from any officers and soldiers of volunteers or of the regular army who have been wounded in the line of their duty while serving in the army of the United States in the late war, and who may yet be competent for garrison or other duty, to which that corps has heretofore been assigned.

SEC. 5. And be it further enacted, That the appointments to be made from among volunteer officers and soldiers under the provisions of this act shall be distributed among the States, Territories, and District of Columbia, in proportion to the number of troops furnished by them respectively.
to the service of the United States during the late war, reduced to an
average of three years' term of service: Provided, That the regulation
provided in this section governing the proportion of officers to be selected
from each State, shall not be applied to the States of California, Oregon,
and Nevada.

SEC. 6. And be it further enacted, That each regiment of infantry pro-
vided for by this act shall have one colonel, one lieutenant-colonel, one
major, one adjutant, one regimental-quarter master, one sergeant-major,
one quartermaster-sergeant, one commissary-sergeant, one hospital-stew-
ard, two principal musicians, and ten companies; and the adjutant and
quarter master shall hereafter be extra lieutenants selected from the first
or second lieutenants of the regiment. Each company shall have one
captain, one first lieutenant and one second lieutenant, one first
sergeant, one quartermaster-sergeant, four sergeants, eight corporals, two artificers,
two musicians, one wagoner, and fifty privates, and the number of pri-
vates may be increased at the discretion of the President, not to exceed
one hundred, whenever the exigencies of the service require such in-
crease; and the President is hereby authorized to enlist and employ in
the Territories and Indian country a force of Indians, not to exceed one
thousand, to act as scouts, who shall receive the pay and allowances of
cavalry soldiers, and be discharged whenever the necessity for their further
employment is abated, or at the discretion of the department commander.

SEC. 7. And be it further enacted, That fifteen bands, including the
band at the Military Academy, may be retained or enlisted in the army,
with such organization as is now provided by law, to be assigned to bri-
gades in time of war, and in time of peace to assembled brigades, or to
forts or posts at which the largest number of troops shall be ordinarily
stationed, and the band at the Military Academy shall be placed on the
same footing as other bands, one ordnance sergeant and one hospital stew-
ard for each military post, and the same number of post chaplains as at
present authorized, who shall be appointed as now provided by law; and
the President of the United States is hereby authorized to appoint for
each national cemetery now established, or that may be established, a
superintendent, with the rank, pay, and emoluments of an ordnance ser-
gant, to be selected from among the non-commissioned officers of the
regular army and volunteer forces who have received certificates of merit
for services during the war.

SEC. 8. And be it further enacted, That all enlistments into the army
shall hereafter be for the term of five years for cavalry, and three years
for artillery and infantry, and recruits may at all times be collected at the
general rendezvous in addition to the number required to fill to the min-
imum all the regiments of the army, provided that such recruits shall not
exceed in the aggregate three thousand men. It shall be competent to
enlist men for the service who have been wounded in the line of their
duty while serving in the army of the United States, provided it shall be
found, on medical inspection, that by such wounds they are not unfitted
for efficiency in garrison or other light duty; and such men, when en-
listed, shall be assigned to service exclusively in the regiments of the
Veteran Reserve corps.

SEC. 9. And be it further enacted, That there shall be one general, one
lieutenant-general, five major-generals, and ten brigadier-generals, who
shall have the same pay and emoluments, and be entitled to the same
staff officers in number and grade as now provided by law.

SEC. 10. And be it further enacted, That the adjutant-general's depart-
ment of the army shall hereafter consist of the officers now authorized by
law, viz: one adjutant-general, with the rank, pay, and emoluments of a
brigadier-general; two assistant adjutants-general, with the rank, pay and
emoluments of colonels of cavalry; four assistant adjutants-general, with
the rank, pay, and emoluments of lieutenant-colonels of cavalry; and thir-
Sec. 11. And be it further enacted, That there shall be four inspectors-general of the army, with the rank, pay, and emoluments of colonels of cavalry; three assistant inspectors-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; and two assistant inspectors-general, with the rank, pay, and emoluments of majors of cavalry.

Sec. 12. And be it further enacted, That the bureau of military justice shall hereafter consist of one judge-advocate-general, with the rank, pay, and emoluments of a brigadier-general, and one assistant judge-advocate-general, with the rank, pay, and emoluments of a colonel of cavalry; and the said judge-advocate-general shall receive, revise, and have recorded, the proceedings of all courts-martial, courts of inquiry, and military commissions, and shall perform such other duties as have been hertofore performed by the judge-advocate-general of the army. And of the judge-advocates now in office there may be retained a number not exceeding ten, to be selected by the Secretary of the War, who shall perform their duties under the direction of the judge-advocate-general, until otherwise provided by law, or until the Secretary of War shall decide that their services can be dispensed with.

Sec. 13. And be it further enacted, That the quartermaster's department of the army shall hereafter consist of one quartermaster-general, with the rank, pay, and emoluments of a brigadier-general; six assistant quartermasters-general, with the rank, pay, and emoluments of colonels of cavalry; ten deputy quartermasters-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; fifteen quartermasters, with the rank, pay, and emoluments of majors of cavalry; and forty-four assistant quartermasters, with the rank, pay, and emoluments of captains of cavalry; and the vacancies hereby created in the grade of assistant quartermaster shall be filled by selection from among the persons who have rendered meritorious services as assistant quartermasters of volunteers during two years of the war; but after the first appointments made under the provisions of this section, as vacancies may occur in the grades of major and captain in this department, no appointments to fill the same shall be made until the number of majors shall be reduced to twelve, and the number of captains to thirty, and thereafter the number of officers in each of said grades shall continue to conform to said reduced numbers.

Sec. 14. And be it further enacted, That the number of military storekeepers in the quartermaster's department shall hereafter be as many as shall be required, not exceeding sixteen, who shall have the rank, pay, and emoluments of captains of infantry.

Sec. 15. And be it further enacted, That the provisions of the act for the better organization of the quartermaster's department, approved July fourth, eighteen hundred and sixty-four, shall continue in force until the first day of January, eighteen hundred and sixty-seven, and no longer.

Sec. 16. And be it further enacted, That the subsistence department of the army shall hereafter consist of the number of officers now authorized by law, viz: one commissary-general of subsistence, with the rank, pay, and emoluments of a brigadier-general; two assistant commissaries-general of subsistence, with the rank, pay, and emoluments of colonels of cavalry; two assistant commissaries-general of subsistence, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; eight commissaries of subsistence, with the rank, pay, and emoluments of majors of cavalry; and sixteen commissaries of subsistence, with the rank, pay, and emoluments of captains of cavalry.

Sec. 17. And be it further enacted, That the medical department of the army shall hereafter consist of one surgeon-general, with the rank, pay, and emoluments of a brigadier-general; one assistant surgeon-general, with the rank, pay, and emoluments of a colonel of cavalry; one
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chief medical purveyor and four assistant medical purveyors, with the rank, pay, and emoluments of lieutenant-colonels of cavalry, who shall give the same bonds which are or may be required of assistant paymaster-generals of like grade, and shall, when not acting as purveyors, be assignable to duty as surgeons by the President; sixty surgeons, with the rank, pay, and emoluments of majors of cavalry; one hundred and fifty assistant surgeons, with the rank, pay, and emoluments of lieutenants of cavalry for the first three years' service, and with the rank, pay, and emoluments of captains of cavalry after three years' service; and five medical storekeepers, with the same compensation as is now provided by law; and all the original vacancies in the grade of assistant surgeon shall be filled by selection by examination from among the persons who have served as staff or regimental surgeons, or assistant surgeons of volunteers in the army of the United States two years during the late war; and persons who have served as assistant surgeons three years in the volunteer service shall be eligible for promotion to the grade of captain; and the Secretary of War is hereby authorized to appoint from the enlisted men of the army, or cause to be enlisted, as many hospital stewards as the service may require, to be permanently attached to the medical department, under such regulations as the Secretary of War may prescribe.

Sec. 18. And be it further enacted, That the pay department of the army shall hereafter consist of one paymaster-general, with the rank, pay, and emoluments of a brigadier-general; two assistant paymasters-general, with the rank, pay, and emoluments of colonels of cavalry; two deputy paymasters-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; and sixty paymasters, with the rank, pay, and emoluments of majors of cavalry, to be selected from persons who have served as additional paymasters.

Sec. 19. And be it further enacted, That the corps of engineers shall consist of one chief of engineers, with the rank, pay, and emoluments of a brigadier-general; six colonels, twelve lieutenant-colonels, twenty-four majors, thirty captains, and twenty-six first and ten second lieutenants, who shall have the pay and emoluments now provided by law for officers of the engineer corps.

Sec. 20. And be it further enacted, That the five companies of engineer soldiers, and the sergeant-major and quartermaster-sergeant herefore prescribed by law shall constitute a battalion of engineers, to be officered by officers of suitable rank detailed from the corps of engineers; and the officers of engineers, acting respectively as adjutant and quartermaster of this battalion, shall be entitled to the pay and emoluments of adjutants and quartermasters of cavalry.

Sec. 21. And be it further enacted, That the ordnance department of the army shall consist of the same number of officers and enlisted men as now authorized by law, and the officers shall be of the following grades, viz: one brigadier-general, three colonels, four lieutenant-colonels, ten majors, twenty captains, sixteen first lieutenants, and ten second lieutenants, with the same pay and emoluments as now provided by law; and thirteen ordnance storekeepers, of whom a number not exceeding six may be appointed and authorized to act as paymasters at armories and arsenals. The ordnance storekeeper and paymaster at the national armory at Springfield shall have the rank, pay, and emoluments of a major of cavalry, and all other ordnance storekeepers shall have the rank, pay, and emoluments of captains of cavalry, and two thirds of the military storekeepers and ordnance storekeepers to be appointed under this and the fourteenth section of this act, shall be selected from volunteer officers or soldiers who have performed meritorious service in the army of the United States during the late rebellion.

Sec. 22. And be it further enacted, That there shall be one chief signal officer of the army, who shall have the rank, pay, and emoluments of
a colonel of cavalry; and the Secretary of War shall have power to detail six officers, and not to exceed one hundred non-commissioned officers and privates, from the battalion of engineers, for the performance of signal duty; but no officer or enlisted man shall be so detailed until he shall have been examined and approved by a military board, to be convened by the Secretary of War for that purpose; and enlisted men, while so detailed, shall, when deemed necessary, be mounted upon horses provided by the government.

SEC. 23. And be it further enacted, That the adjutant-general, quartermaster-general, commissary-general of subsistence, surgeon-general, paymaster-general, chief of engineers, and chief of ordnance, shall hereafter be appointed by selection from the corps to which they belong, and no person shall be appointed to any vacancy created by this act in the pay, medical, or quartermaster's departments, until he shall have passed the examination now required by law.

Persons not to be commissioned as officers until after examination.

SEC. 24. And be it further enacted, That no person[s] shall be commissioned in any of the regiments authorized by this act until they shall have passed a satisfactory examination before a board, to be composed of officers of that arm of the service in which the applicant is to serve, to be convened under the direction of the Secretary of War, which shall inquire into the services rendered during the war, capacity and qualifications of the applicants; and such appointments, when made, shall be without regard to previous rank, but with sole regard to qualifications and meritorious services; and persons applying for commissions in any of the regiments authorized by this act shall be entitled in case of passing the examination, and being appointed or commissioned, to receive mileage from the place of his residence to the place of examination, or such portion of that distance as he may actually travel, the same as is paid to officers travelling under orders, but there shall be paid no other compensation.

Mileage.

SEC. 25. And be it further enacted, That the office of sutler in the army and at military posts is hereby abolished, and the subsistence department is hereby authorized and required to furnish such articles as may from time to time be designated by the inspectors-general of the army, the same to be sold to officers and enlisted men at cost prices, and if not paid for when purchased, a true account thereof shall be kept, and the amount due the government shall be deducted by the paymaster at the payment next following such purchase: Provided, That this section shall not go into effect until the first day of July, eighteen hundred and sixty-seven.

The President, upon application, may detail army officers to act as presidents, &c. of certain colleges.

SEC. 26. And be it further enacted, That for the purpose of promoting knowledge of military science among the young men of the United States, the President may, upon the application of an established college or university within the United States, with sufficient capacity to educate at one time not less than one hundred and fifty male students, detail an officer of the army to act as president, superintendent, or professor of such college or university; that the number of officers so detailed shall not exceed twenty at any time, and shall be apportioned through the United States as nearly as practicable according to population, and shall be governed by general rules, to be prescribed from time to time by the President.

Schools for enlisted men at posts, garrisons, or permanent camps.

SEC. 27. And be it further enacted, That whenever troops are serving at any post, garrison, or permanent camp, there shall be established a school where all enlisted men may be provided with instruction in the common English branches of education, and especially in the history of the United States, and the Secretary of War is authorized to detail such commissioned officers and enlisted men as may be necessary to carry out the provisions of this section; and it shall be the duty of the post or garrison commander to cause to be set apart a suitable room or building for school and religious purposes.

SEC. 28. And be it further enacted, That nothing in this act shall be
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construed to authorize or permit the appointment to any position or office in the army of the United States of any person who has served in any capacity in the military, naval, or civil service of the so-called confederate states or of either of the States in insurrection during the late rebellion; but any such appointment shall be illegal and void.

Sec. 29. And be it further enacted, That, in construing this act, officers who have heretofore been appointed or commissioned to serve with United States colored troops shall be deemed and held to be officers of volunteers, and officers of the regular army who have also held commissions as officers of volunteers or have commanded volunteers shall not on that account be held to be volunteers under the provisions of this act.

Sec. 30. And be it further enacted, That nothing herein contained shall be construed as affecting existing laws respecting the rank, pay, and allowances of chaplains of the army, but the same shall remain as now established by the act entitled "An act to amend section nine of the act approved July seventeen, eighteen hundred and sixty-two, entitled "An act to define the pay and emoluments of certain officers of the army, and for other purposes," approved April nine, eighteen hundred and sixty-four; one chaplain may be appointed by the President, by and with the advice and consent of the Senate, for each regiment of colored troops, whose duty shall include the instruction of the enlisted men in the common English branches of education; and chaplains, when ordered from one field of duty to another, shall be entitled to transportation at the same rate as other officers.

Sec. 31. And be it further enacted, That nothing in this act shall be so construed as to vacate the commission of any officer now properly in service, or whose name may be borne on the army register as partially retired, according to law.

Sec. 32. And be it further enacted, That officers of the regular army, entitled to be retired on account of disability occasioned by wounds received in battle, may be retired upon the full rank of the command held by them, whether in the regular or volunteer service at the time such wounds were received.

Sec. 33. And be it further enacted, That the provost-marshal-general's office and bureau shall be continued only so long as the Secretary of War shall deem necessary, not exceeding thirty days after the passage of this act.

Sec. 34. And be it further enacted, That all officers who have served during the rebellion as volunteers in the armies of the United States, and who have been or may hereafter be honorably mustered out of the volunteer service, shall be entitled to bear the official title, and upon occasions of ceremony to wear the uniform of the highest grade they have held by brevet or other commissions in the volunteer service. In case of officers of the regular army, the volunteer rank shall be entered upon the official army register; Provided, That these privileges shall not entitle any officer to command, pay, or emoluments.

Sec. 35. And be it further enacted, That the third section of the act entitled "An act making appropriations for the support of the army for the year ending thirtieth of June, eighteen hundred and sixty-six," shall continue in force for one year from the passage of this act: Provided, That no officer who is furnished with quarters in kind shall be entitled to receive the increased commutation of rations hereby authorized.

Sec. 36. And be it further enacted, That section three of the act approved February twenty, eighteen hundred and sixty-three, authorizing the appointment of a solicitor of the War Department, be, and the same is hereby, repealed.

Sec. 37. And be it further enacted, That the Secretary of War be, and
Code of regulations for the army and militia in actual service, and courts-martial.

Repealing clause.

July 28, 1866.

1863, ch. 59.

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The act granting right of way and lands to Arkansas and Missouri for railroad revived and extended for ten years.

Lands heretofore granted and reverted to be restored to same custody and condition as at time reversion took place.

Mineral lands reserved.

Property and troops of the United States to be transported free of cost.

Additions to former grant for same uses and trusts.

Lands reserved or to which homestead or pre-emption rights have attached, excepted from grant.

Whole grant not to exceed ten sections a mile.

Lands, how only to be disposed of.

Sections of ten consecutive miles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "Act granting the right of way and making a grant of land to the States of Arkansas and Missouri, to aid in the construction of a railroad from a point upon the Mississippi opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary, near Fulton, in Arkansas, with branches to Fort Smith and the Mississippi River," approved February nine, eighteen hundred and fifty-three, with all the provisions therein made, be, and the same is hereby, revived and extended for the term of ten years from the passage of this act; and all the lands therein granted, which reverted to the United States under the provisions of said act, be, and the same are hereby, restored to the same custody, control, and condition, and made subject to the uses and trusts in all respects as they were before and at the time such reversion took effect: Provided, That all mineral lands within the limits of this grant and the grant made in section two of this act are hereby reserved to the United States: And provided further, That all property and troops of the United States shall at all times be transported over said railroad and branches at the cost, charge, and expense of the company or corporation owning or operating said road and branches respectively, when so required by the government of the United States.

Sec. 2. And be it further enacted, That there is hereby granted, added to, and made part of the donation of lands hereby renewed and made, subject to the uses and trusts, and under the same custody, control, and conditions, and to be held and disposed of in the same manner as if included in the original grant, all the alternate sections and parts of sections, designated by odd numbers, lying along the outer line of lands heretofore granted, and within five miles on each side thereof, excepting lands reserved or otherwise appropriated by law, or to which the right of pre-emption or homestead settlement has attached: Provided, That the additional quantity of lands hereby granted, when added to the lands specified in section one hereof, shall not exceed, in the aggregate quantity of lands by this act granted, sufficient to a number to ten sections for each mile of railroad: And provided further, That the lands embraced in this grant and the grant revived by section one of this act shall be disposed of only as follows: Whenever proof shall be furnished, satisfactory to the Secretary of the Interior, that any section of ten consecutive miles of said road and branches is completed in a good, substantial, and workmanlike manner as a first-class railroad, the said Secretary of the Interior shall issue patents for all the lands granted as aforesaid, not exceeding ten sections per mile situate opposite to and within the limits of twenty miles of the section of said road and branches thus completed.
and when like proof shall be furnished that another section of ten miles of said road in said States or on the said branches respectively connecting with the preceding section is completed as aforesaid, the Secretary of the Interior shall issue patents in like manner as in case of the first completed sections, and so on from time to time until the whole is completed as herein provided, when the Secretary of the Interior shall issue patents for all the remaining lands herein granted, not exceeding the aggregate amount provided for and located as required by sections one and two of this act: And provided further, That if one section of twenty miles of each of said railroads and branches shall not be fully constructed and completed as a first class railroad within three years from the time this act becomes a law, and at least one section of twenty miles on each of said roads and branches in each year thereafter, and the whole of said roads and branches within ten years from the time this act shall take effect, then and in either of said cases all the lands granted or the grant of which is revived or extended by this act, and which at the time shall be unpatented to or for the benefit of the road or company making or suffering such failure, shall revert to the United States.

SEC. 3. And be it further enacted, That all the lands mentioned in this act, and hereby granted, are hereby reserved from entry, pre-emption, or appropriation to any other purpose than herein contemplated, for the said entry term of ten years from the passage of this act: Provided, That all lands heretofore given to the State of Missouri for the construction of the Cairo and Fulton railroad, or for the use of said road lying in the State of Missouri, and all lands proposed to be granted by this act for the use or in aid of the road here named, and lying in said State of Missouri, shall be granted and patented to the said State whenever the road shall be completed through said State, which lands may be held by said State and used toward paying the State the amount of bonds heretofore issued by it to said said company, and all interest accrued or to accrue thereon: Provided further, That the provisions of this act, so far as the same relate to the Memphis and Little Rock and the Little Rock and Fort Smith branches of said road, shall not take effect until the Secretary of the Interior shall make and file a certificate in his office and the office of the Secretary of State of Arkansas, stating that the companies or corporations claiming the benefit of this act in behalf of said branches have reorganized their boards of directors in a lawful manner, and, after such reorganization, that they have respectively rescinded all acts, resolutions, or other proceedings, transferring the lands, rights, or privileges of such corporations or companies to any convention, State, or authority recognizing or acting in concert with, or under the authority of the late so-called confederate states of America.

APPROVED, July 28, 1866.

CHAP. CCCL. — An Act to authorize the Use of the Metric System of Weights and Measures

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall be lawful throughout the United States of America to employ the weights and measures of the metric system; and no contract or dealing, or pleading in any court, shall be deemed invalid or liable to objection because the weights or measures expressed or referred to therein are weights or measures of the metric system.

SEC. 2. And be it further enacted, That the tables in the schedule hereto annexed shall be recognized in the construction of contracts, and in all legal proceedings, as establishing, in terms of the weights and measures now in use in the United States, the equivalents of the weights and measures expressed therein in terms of the metric system; and said tables may be lawfully used for computing, determining, and expressing in customary weights and measures the weights and measures of the metric system.
### Measures of Length

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<th>Metric Denominations and Values</th>
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<td>Kilometer</td>
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### Measures of Surface

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### Measures of Capacity

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### Weights

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Approved, July 28, 1866.
CHAP. CCCII.—An Act to amend an Act entitled "An Act making Appropriations for
sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen
hundred and fifty-nine.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the proviso to the seven-
teenth section of the act to which this act is an amendment be altered so
as to read as follows: And provided further, That where there is no col-
lector at the place of location of any public work herein specified, the
Secretary of the Treasury shall have power to appoint a disbursing agent
for the payment of all moneys that are, or may be hereafter, appropriated
for the construction of any such public work, with such compensation as
he may deem equitable and just, and all laws and parts of laws in conflict
with the provisions of this section be, and the same are hereby, repealed.

APPROVED, July 28, 1866.

CHAP. CCCIII.—An act authorizing the Payment of the Rewards offered by the Presi-
dent of the United States and the Officers of the War Department, in April and May,
1865, for the Capture of the Assassins of the late President, Abraham Lincoln, and the
Secretary of State, Hon. William H. Seward.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That there be paid, out
of any moneys in the treasury not otherwise appropriated, in satisfaction
of all claims for the rewards offered by the President of the United States or
by authority of the War Department for the capture of the assassins of
the late President, Abraham Lincoln, and the Secretary of State, William
H. Seward, the following sums to the following named persons, viz: —
For the capture of Payne:

To Major H. W. Smith, who had charge of, and commanded the force,
the sum of ................................................... $1,000
Richard C. Morgan, detective ............................................ 500
Ed Devore, detective .................................................. 500
Charles H. Rosch, detective .......................................... 500
Thomas Sampson, detective ............................................ 500
William M. Wermerskuch, detective ................................ 500
John H. Kimball, citizen ................................................ 500
P. M. Clark, citizen ................................................... 500
Susan Jackson, colored ................................................... 250
Mary Ann Griffin ....................................................... 250

$5,000

For the capture of Atzerott:

To Major E. R. Artman, 213th Pennsylvania Volunteers .................. $1,250 00
Sergeant Zachariah W. Gurnell, 1st Delaware Cavalry ..................... 3,598 54
Private Christopher Ross, 1st Delaware Cavalry ........................ 2,878 54
Private David H. Barker, 1st Delaware Cavalry ........................ 2,878 78
Private Albert Bender, 1st Delaware Cavalry ............................ 2,878 78
Private Samuel J. Williams, 1st Delaware Cavalry ......................... 2,878 78
Private George W. Young, 1st Delaware Cavalry ........................ 2,878 78
Private James Longaero, 1st Delaware Cavalry .......................... 2,878 78
James W. Purdum, citizen .............................................. 2,878 78

$25,009 00

For the capture of Booth and Herold:

To E. J. Conger ......................................................... $15,000
" Lafayette C. Baker .................................................... 3,750
" Luther B. Barker ..................................................... 3,000
" Lieutenant E. P. Doherty ........................................... 5,250
" James R. O'Brien ..................................................... 2,000
" H. H. Wells .......................................................... 1,000
" George Cottingham .................................................... 1,000
" Alexander Lovett ..................................................... 1,000

$32,000
Payments to be made to persons themselves, or, &c.

SEC. 2. And be it further enacted, That the said several sums shall be paid to the several persons above named, respectively, personally, or in case of their decease, to the persons who would be entitled to the same under the bounty laws of the United States in case of a deceased soldier.

APPROVED, July 28, 1866.

July 28, 1866. CHAP CCCIV. — An Act directing a District Court to be held at the City of Erie, in the State of Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, besides the terms of the district court to be held at Pittsburgh, in the county of Alleghany, and at Williamsport, in the county of Lycoming, for the western district of the State of Pennsylvania, the judge of said western district shall hold two terms in every year, at the city of Erie, in the county of Erie, which shall commence the first Monday of July and January in each and every year, beginning in the July or January which shall first immediately follow the passage of this act, and be continued and adjourned from time to time, as the court may deem expedient, for the despatch of the business thereof.

APPROVED, July 28, 1866.

July 28, 1866. CHAP CCCV. — An Act to authorize the Secretary of War to furnish Transportation to Discharged Soldiers to whom Artificial Limbs are furnished by the Government.

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 authorized and directed to furnish to discharged soldiers of the United States, who have been disabled in the service, as well as to those not yet discharged, transportation to and from their homes and the place where they may be required to go to obtain artificial limbs provided for them under authority of law.

APPROVED, July 28, 1866.

July 28, 1866. CHAP. CCCVI. — An Act supplemental to the Act to appropriate Money for the Postal Services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, appropriated, out of any money in the treasury not otherwise appropriated, for carrying the mail upon the post roads established by acts of
Congress passed during the first session of the Thirty-ninth Congress, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, the sum of four hundred and eighty-six thousand five hundred and twenty-five dollars.

Approved, July 28, 1866.

CHAP. CCCVII.—An Act to protect the Manufacturers of Mineral Waters in the District of Columbia, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all manufacturers and vendors of mineral waters and other beverages by law allowed to be sold in bottles, upon which their names or their mark or marks shall be respectively impressed, may file with the clerk of the supreme court of the District of Columbia a description of such bottles and of the name or marks thereon, and shall cause the same to be published for not less than two weeks, successively, in a daily or weekly newspaper, published in said District of Columbia.

Sec. 2. And be it further enacted, That it is hereby declared to be unlawful for any person or persons hereafter, without the permission of the owner or owners thereof, to fill with mineral waters or other beverages any such bottles so marked, for sale, or to traffic in any such bottles so marked, and not bought by him or her of such owner or owners thereof; and every person so offending shall be liable to a penalty of fifty cents for every bottle so filled, or sold, or used, or disposed of, or bought, or trafficked in, for the first offence; and of five dollars for every subsequent offence, to be recovered as other fines in said District of Columbia.

Approved, July 28, 1866.

CHAP. CCCVIII.—An Act donating certain Lots in the City of Washington for Schools for Colored Children in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of public buildings be, and he is hereby, authorized and required to grant and convey to the trustees of colored schools in the cities of Washington and Georgetown, in the District of Columbia, for the sole use of schools for colored children in said District of Columbia, all the right, title, and interest of the United States in and to lots numbered one, two, and eighteen in square nine hundred and eighty-five, in the said city of Washington, said lots having been designated and set apart by the Secretary of the Interior to be used for colored schools. And whenever the same shall be converted to other uses, they shall revert to the United States.

Approved, July 28, 1866.

CHAP. CCCIX.—An Act to extend the Jurisdiction of Commissioners of the Circuit Courts of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioners who now are, or hereafter may be, appointed by the circuit courts of the United States to take acknowledgments of bail and affidavits, and also to take depositions in civil causes, shall and may exercise all the powers that any justice of the peace may exercise under and in virtue of the seventh section of the act passed the twentieth of July, anno Domini seventeen hundred and ninety, entitled "An act for the government and regulation of seamen in the merchant service."

Approved, July 28, 1866.
July 28, 1866.

CHAP. CCCX.-An Act to provide for the Suits, Judgments, and Business of the United States Provisional Court for the State of Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all suits, causes, proceedings, and proceedings in the United States provisional court for the State of Louisiana, with the records thereof, be, and the same are hereby, transferred to the United States district court for the eastern district of Louisiana; and all suits, causes, proceedings, and proceedings so transferred shall be proceeded with in said court and tried and determined, and process and judgment issued and executed therein and by said court in the same manner and with like effect as if the same had been commenced originally in said district court: Provided, however, That any suit or proceeding so transferred, of which the circuit court could take jurisdiction under the laws of the United States, shall in like manner be heard and determined in the circuit court held in said district.

SEC. 2. And be it further enacted, That in case suits or proceedings are pending in said provisional court which could not have been instituted in said circuit or district court, the record shall remain in said district court without further action therein.

SEC. 3. And be it further enacted, That all judgments, orders, decrees, and decisions of the United States provisional court for the State of Louisiana, relating to the causes hereby transferred to the district court of the eastern district of Louisiana, or to the circuit court held in said district, shall at once become the judgments, orders, decrees, and decisions of said district court, or said circuit court, unless the same are inconsistent with the rules and proceedings thereof; and may be enforced, pleaded, and proved, as the judgments, orders, decrees, or decisions of said district court, or said circuit court.

Approved, July 28, 1866.

July 28, 1866.

CHAP. CCCXI.-An Act to remove the Office of Surveyor-General of the States of Iowa and Wisconsin to Plattsmouth, Nebraska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of the Interior, as soon after the passage of this act as may be, to cause the office of surveyor-general of Iowa and Wisconsin to be removed to Plattsmouth in the Territory of Nebraska, and to make the necessary provisions for immediate and effective operations; and when so removed the duties and jurisdiction of said surveyor-general shall be co-extensive with the limits of the Territory of Nebraska, and include the State of Iowa, and the same shall constitute a surveying district.

SEC. 2. And be it further enacted, That all suits and parts of suits inconsistent with the provisions of this act, be, and the same are hereby, repealed.

Approved, July 28, 1866.

July 28, 1866.

CHAP. CCCXII.-An Act to prevent Officers of the Navy from being expirved of their regular Promotion on Account of Wounds received in Battle, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of section four of the "Act to amend an act entitled an act to establish and equalize the grade of line officers of the United States navy," approved July sixteen, eighteen hundred and sixty-two, requiring that no officer in the naval service shall be promoted to a higher grade upon the active list until he has been examined by a board of naval surgeons and pronounced physically qualified to perform all his duties at sea, shall not be construed to apply to and exclude from the promotion to which he would otherwise
be regularly entitled any officer in whose case such medical board shall report that his physical disqualification was occasioned by wounds received in the line of his duty, and that such wounds do not incapacitate him for other duties in the grade to which he shall be promoted.

SEC. 2. And be it further enacted, That the rate of pay of officers of the navy on the retired list and not on duty, nor retired on furlough pay, in cases where such rate of pay has not heretofore been fixed by law, shall be one half of the pay to which such officers would be entitled if on duty at sea. And the pay of clerks of navy yards, of clerks to commandants of navy yards, and of clerks to naval storekeepers, is hereby increased twenty-five per cent upon their present salaries, from the commencement of the present fiscal year.

SEC. 3. And be it further enacted, That the proper accounting officers of the treasury be, and they are hereby authorized in the settlement of the accounts of the disbursing officers of the navy and marine corps to allow, subject to the approval of the Secretary of the Navy, such credits for losses of property and funds as have occurred during the late rebellion and as shall occur hereafter, and which shall appear to them by such vouchers and testimony as they shall require to have been occasioned by accidental circumstances, or a condition of things over which such officers had no control and for which they are not justly responsible.

Approved, July 28, 1866.
RESOLUTIONS.

[No. 1.] A Resolution authorizing the President to divert certain Funds heretofore appropriated, and cause the same to be used for immediate Subsistence and Clothing, &c., for destitute Indians and Indian Tribes.

Resolved 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 he hereby is authorized to cause to be expended under the direction of the Secretary of the Interior, for the immediate subsistence and clothing of destitute Indians and Indian tribes within the southern superintendency, and for agricultural implements and seeds for the same, a sum not exceeding five hundred thousand dollars of the unexpended balance in the treasury of appropriations heretofore made "to enable the President of the United States to carry into effect the act of third of March, eighteen hundred and nineteen, and any other acts now in force for the suppression of the slave-trade"; Provided, That the accounts of such expenditure shall be laid before Congress during its present session: And provided also, That all articles to be furnished to said destitute Indians and Indian tribes shall be delivered to them on or before the first day of July next.

APPROVED, December 21, 1865.

[No. 2.] A Resolution for increasing the Bond of the Superintendent of public Printing.

Whereas the amount of money which can be advanced to the superintendent of public printing under existing law is not sufficient to enable him to meet the current expenditures of his office: Therefore, Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said superintendent be requested to furnish a new bond, in the penal sum of eighty thousand dollars.

APPROVED, January 12, 1866.

[No. 3.] Joint Resolution in Relation to the Industrial Exposition at Paris, France.

Whereas the United States have been invited by the government of France to take part in a universal exposition of the productions of agriculture, manufactures, and the fine arts, to be held in Paris, France, in the year eighteen hundred and sixty-seven:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said invitation is accepted.

Sec. 2. And be it further resolved, That the proceedings heretofore adopted by the Secretary of State in relation to the said exposition, as set forth in his report and accompanying documents concerning that subject, transmitted to both houses of Congress with the President's message of the eleventh instant, are approved.

Sec. 3. And be it further resolved, That the general agent for the said exposition at New York be authorized to employ such clerks as may be
necessary to enable him to fulfill the requirements of the regulations of the imperial commission, not to exceed four in number, one of whom shall receive compensation at the rate of eighteen hundred dollars per annum, one at sixteen hundred dollars, and two at fourteen hundred dollars.

SEC. 4. And be it further resolved, That the Secretary of State be, and is hereby, authorized and requested to prescribe such general regulations concerning the conduct of the business relating to the part to be taken by the United States in the exposition as may be proper.

APPROVED, January 15, 1866.

January 22, 1866.

[No. 4.] Joint Resolution granting certain public Property to the Soldiers' Orphans' Home of Iowa.

Gift to Soldiers' Orphans' Home of Iowa.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the buildings, sheds, furniture, and other property, now at camp Kinsman, near Davenport, Scott county, Iowa, be, and the same are hereby, donated to the Soldiers' Orphans' Home of Iowa.

APPROVED, January 22, 1866.

January 31, 1866.

[No. 5.] Joint Resolution authorizing the Secretary of War to grant the Use of a Portion of Military Reserve on St. Clair River, in the State of Michigan, for Railroad Purposes.

Use of portion of military reserve on St. Clair river granted for horse railroad.

Conditions.

Be it resolved 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 grant to Guerdon O. Williams, of the city of Detroit, in the State of Michigan, and his associates, the use of so much of the military reserve on the St. Clair river, in the State of Michigan, known as the site of Fort Gratiot, as is necessary for extending a horse railroad from Port Huron city to the depot of the Port Huron and Detroit railroad, at such rental and upon such terms and conditions as to him may seem proper, reserving to the United States, however, the right of removing the rails, ties, and other parts of said road whenever the Secretary of War shall direct, without any claim or right for damages on the part of the said Williams and associates, or their legal representatives.

APPROVED, January 31, 1866.

February 7, 1866.

[No. 6.] A Resolution directing the Distribution of the Writings of James Madison.

Distribution of writings of James Madison.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint committee on the Library be, and they are hereby directed to distribute, by mail or otherwise, the five hundred copies of the writings of James Madison, published by authority of Congress under direction of said committee, in the manner following, to wit: To the President of the United States, one copy; to the libraries of the different departments, of the Postmaster-General and Attorney-General, one copy each; to each member of the present Senate and House of Representatives, one copy; to the library of Congress, ten copies; to the libraries of the several States and Territories of the Union, one copy each; to such public and college libraries as may be designated by the present joint committee on the Library, one hundred copies; the residue to be retained in the Department of the Interior for future distribution.

APPROVED, February 7, 1866.
[No. 7.] A Resolution extending the Time for the Completion of the Burlington and Missouri River Railroad.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in case the Burlington and Missouri River Railroad Company shall complete the section of twenty miles from the present terminus of its road by the first day of December, anno Domini eighteen hundred and sixty-six, and the certificate of the governor shall be filed with the Secretary of the Interior of such completion, then the said company shall be entitled to its lands, due by reason of the completion of said section of twenty miles, as provided in section eight of the act entitled "An act to amend an act entitled 'An act making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of certain railroads in said State,'" and its rights shall be in all respects the same as if the same section should have been completed on the first day of July next.

APPROVED, February 10, 1866.

[No. 8.] A Resolution tendering the Thanks of Congress to Vice-Admiral David G. Farragut, and to the Officers, petty Officers, Seamen, and Marines under his Command, for their Gallantry and good Conduct in the Action in Mobile Bay, on the 5th August, 1864.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress are eminently due and are hereby tendered to Vice-Admiral David G. Farragut, of the United States navy, and to the officers, petty officers, seamen, and marines under his command, for the unsurpassed gallantry and skill exhibited by them in the engagement in Mobile Bay, on the fifth day of August, eighteen hundred and sixty-four, and for their long and faithful services and unwavering devotion to the cause of the country in the midst of the greatest difficulties and dangers.

SEC. 2. And be it further resolved, That the President of the United States be requested to communicate this resolution to Vice-Admiral Farragut, and that the Secretary of the Navy be requested to communicate the same to the officers, seamen, and marines of the navy by general order of his department.

APPROVED, February 10, 1866.

[No. 9.] A Resolution for the Payment of Expenses incurred by the Joint Committee to inquire into the Condition of the States which formed the so-called Confederate States of America.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated to pay the expenses of the joint committee of Congress appointed to inquire into the condition of the States which formed the so-called confederate states of America; and that the said sum shall be drawn from the treasury upon the order of the Secretary of the Senate, as the same shall be required from time to time by the committee having such investigation in charge; and any portion of the sum hereby appropriated that shall be allowed by the said joint committee to witnesses attending before it, or to persons employed in its service, for per diem, travelling or other necessary expenses, and paid by the Secretary of the Senate in pursuance of the order of the said joint committee, shall be accordingly credited and allowed by the accounting officers of the Treasury Department.

APPROVED, February 10, 1866.
February 26, 1866.

[No. 10.] Joint Resolution to encourage and facilitate Telegraphic Communication between the Western and Eastern Continents.

WHEREAS by an act entitled "An act to encourage and facilitate telegraphic communication between the eastern and western continents" approved July first, eighteen hundred and sixty-four, it was provided, among other things, that the Secretary of the Navy be authorized to detail a vessel to assist in surveys and soundings, laying down sub-marine cable, transporting materials connected therewith, and generally afford such assistance as might be deemed best calculated to secure a successful promotion of the enterprise; and whereas the Emperor of Russia, for the purpose of co-operating with the government of the United States, under the act aforesaid, has ordered a steam corvette, the "Varieg," of two thousand one hundred and fifty-six tons burthen, seventeen guns, three hundred and six men, to assist in the achievement of said telegraph, and has placed the said steamer subject to the orders of said telegraph company; and whereas said telegraph company intend, the ensuing summer, to lay the sub-marine cable required at Behring's Strait, said cable and the material for the entire line being now in transit, and the vessels of the company, seven in number, being ready at San Francisco and Vancouver for the expedition, and require immediate co-operation on the part of the United States, in conformity with said act: Therefore,

Be it resolved in the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and is hereby, authorized and required to detail one steam vessel to aid in laying the telegraph cable between the western and eastern continents.

APPROVED, February 26, 1866.

March 10, 1866.

[No. 11.] A Resolution providing for Expenses incurred for the search for missing Soldiers of the Army of the United States, and for the further Prosecution of the same.

WHEREAS Miss Clara Barton has, during the late war of the rebellion, expended from her own resources large sums of money in endeavoring to discover missing soldiers of the armies of the United States, and in communicating intelligence to their relatives; Therefore —

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of fifteen thousand dollars be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to reimburse Miss Clara Barton for the amount so expended by her, and to aid in the further prosecution of the search for missing soldiers; and the printing necessary in the furtherance of the said object shall hereafter be done by the public printer.

APPROVED, March 10, 1866.

March 10, 1866.

[No. 12.] Joint Resolution giving the Consent of Congress to the Transfer of the Counties of Berkeley and Jefferson to the State of West Virginia.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes the transfer of the counties of Berkeley and Jefferson from the State of Virginia to West Virginia; and consents thereto.

APPROVED, March 10, 1866.
[No. 13.] Joint Resolution authorizing the Secretary of War to transfer to the National Home for Soldiers' and Sailors' Orphans, of Washington City, certain stores not needed for the use of the Government.

Be it resolved 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 deliver to the lady directors of the National Home for Soldiers' and Sailors' Orphans, of Washington City, for the use and aid of that society in its benevolent objects, such blankets, bedding, and other furniture and articles as may be proper for their purposes, and as are now on hand in the stores of the Surgeon-General's department, and no longer needed for government account; the Secretary to determine, at his discretion, the specific amount and character of stores thus to be appropriated, and of which due account shall be taken.

APPROVED, March 10, 1866.

[No. 14.] Joint Resolution for the Relief of the Sufferers by the late Explosion at the United States Arsenal in the District of Columbia.

WHEREAS by the late explosion at the United States Arsenal, in the District of Columbia, ten persons were killed, who were not enlisted men, but were employed by the government in said arsenal; and whereas those who were so killed left wives and children dependent upon them for support, most of whom are now in a destitute condition: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to distribute among the sufferers by the said explosion, according to the equity and necessities of their several cases; and that the said commandant report the details of said distribution to Congress, with the vouchers therefor.

APPROVED, March 17, 1866.

[No. 15.] Joint Resolution to change the Name of the Ship "Art Union" to the Name "George M. Barnard."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to change the name of the ship "Art Union," owned by the State of Massachusetts, and used as quarters for the nautical branch of the Reform School of said State, to the name "George M. Barnard," and to grant said ship a register in the latter name.

APPROVED, March 22, 1866.

[No. 16.] Joint Resolution authorizing the Secretaries of War and Navy to place Hulks and Vessels at the disposal of Commissioners of Quarantine, or other proper Authorities, at Ports of the United States, for one Year.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War and the Secretary of the Navy be, and they are hereby, respectively authorized, in their discretion, to place gratuitously at the disposal of the commissioners of quarantine, or the proper authorities of any of the ports of the United States, to be used by them temporarily for quarantine purposes, such vessels or hulks belonging to the United States as are not required for other uses of the national government, subject to such restrictions and regulations as the said Secretaries may respectively deem necessary to impose for the preservation thereof; Provided, That this resolution shall continue in force one year from its passage.

APPROVED, March 24, 1866.
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he is hereby authorized and directed, to renew the contract of October thirty-first, eighteen hundred and fifty, between the Department of State, and Little, Brown, and Company, of Boston, Massachusetts, for the annual publication of the Statutes at Large of the United States, until otherwise ordered by Congress, in conformity with the joint resolutions approved respectively March third, eighteen hundred and forty-five, and September thirtieth [twenty-sixth], eighteen hundred and fifty: Provided, That the time within which the annual edition of the laws is to be delivered at the Department of State be extended to seventy days after the adjournment of each session of Congress: And provided, further, That the price shall not exceed the actual expenditures by Little, Brown, and Company, for composition, press-work, paper, binding, editing, and transportation, all of which shall be done at the lowest market-prices, the paper to be furnished at as low a price as is paid by the government for paper of the same quality, and five per cent commission thereon.

APPROVED, March 31, 1866.

Joint Resolution in Relation to the Public Lands appertaining to the Armory at Springfield.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of a joint resolution approved June seventeenth, eighteen hundred and forty-four, entitled "A resolution relating to the public lands appertaining to the armories at Springfield and Harper's Ferry," is hereby revived, re-enacted, and continued in force.

APPROVED, April 4, 1866.

A Resolution for the Restoration of Commanders William Reynolds and Melancton B. Woolsey, United States Navy, to the Active List from the Reserved List.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to nominate and by and with the advice and consent of the Senate to appoint Commanders William Reynolds and Melancton B. Woolsey to the active list of the navy.

APPROVED, April 5, 1866.

Joint Resolution giving Construction to the Law in Relation to Bounties payable to Soldiers discharged for Wounds.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the true intent and meaning of the words "or in the line of duty," used in the fourth section of the act approved March third, eighteen hundred and sixty-five, entitled "An act to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces, and for other purposes," requires that the benefit of the provision of said section shall be extended to any enlisted man or other person entitled by law to bounty who has been or may be discharged by reason of a wound received while actually in service under military orders, not at the time on furlough or leave of absence, nor engaged in any unlawful or unauthorized act or pursuit.

APPROVED, April 12, 1866.
[No. 21.] A Resolution respecting the Burial of Soldiers who died in the military Service of the United States during the Rebellion.

Resolved 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 required to take immediate measures to preserve from desecration the graves of the soldiers of the United States who fell in battle or died of disease in the field and in hospital during the war of the rebellion; to secure suitable burial-places in which they may be properly interred; and to have the grounds enclosed, so that the resting-places of the honored dead may be kept sacred forever.

Approved, April 13, 1866.

[No. 24.] A Resolution protesting against Pardons by Foreign Governments of Persons convicted of infamous Offences, on Condition of Emigration to the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States protests against such acts as unfriendly and inconsistent with the comity of nations, and hereby requests the President of the United States to cause a copy of this protest to be communicated to the representatives of the United States in foreign countries, with instructions to present it to the governments where they are accredited respectively, and to insist that no such acts shall, under any circumstances, be repeated.

Approved, April 17, 1866.

[No. 25.] A Resolution for the temporary Relief of destitute People in the District of Columbia.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-five thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the temporary relief of the destitute population in the District of Columbia, to be expended under the direction of the Commissioner of Freedmen's Bureau.

Approved, April 17, 1866.

[No. 26.] Joint Resolution appointing Managers for the National Asylum for Disabled Volunteer Soldiers.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons be, and they are hereby, appointed managers of the National Asylum for disabled volunteer soldiers, under the provisions and conditions of the third section of the act approved March twenty-three, [one] eighteen hundred and sixty-six: Richard J. Oglesby, of Illinois, Benjamin F. Butler, of Massachusetts, and Frederick Smyth, of New Hampshire, of the first class, to serve six years; Lewis B. Gunckel, of Ohio, Jay Cook, of Pennsylvania, and P. Joseph Osterhaus, of Missouri, of the second class, to serve four years; John H. Martindale, of New York, Horatio G. Stebbins, of California, and George H. Walker, of Wisconsin, of the third class, to serve two years.

Approved, April 21, 1866.
THIRTY-NINTH CONGRESS. Sess. I. Res. 27, 29, 31, 32. 1866.

April 21, 1866. [No. 27.] Joint Resolution expressive of the Thanks of Congress to Major-General Winfield S. Hancock.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the thanks heretofore voted by joint resolution, approved January twenty-eighth, eighteen hundred and sixty-four, to Major-General George G. Meade, Major-General Oliver O. Howard, and to the officers and soldiers of the army of the Potomac, for the skill and heroic valor which at Gettysburg repulsed, defeated, and drove back broken and dispirited the veteran army of the rebellion, the gratitude of the American people and the thanks of their representatives in Congress are likewise due, and are hereby tendered, to Major-General Winfield S. Hancock, for his gallant, meritorious, and conspicuous share in that great and decisive victory.

APPROVED, April 21, 1866.

April 25, 1866. [No. 29.] A Resolution for the Transfer of Funds appropriated for the Payment of Salaries in the Post Office Department to the General Salary Account of that Department.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance on the books of the Treasury Department, from the respective sums of money appropriated by different acts of Congress, for the salaries of Postmaster-General, assistant postmaster-general, clerks, temporary clerks, additional clerks, messengers, watchmen, laborers, and superintendent and clerks of the money order system, including the amounts appropriated for the payment of twenty per centum increase of certain salaries, (all of the same being appropriations made by Congress for the Post Office Department,) may be transferred on the books of the Treasury Department, from the respective headings under which they are now placed, to the credit of the Post Office Department, to the general salary account of funds placed to the credit of the Post Office Department: Provided, That this joint resolution shall not be construed to increase the appropriations already made for the service of the Post Office Department.

APPROVED, April 25, 1866.

May 3, 1866. [No. 31.] A Resolution making Appropriations for the Expenses of collecting the Revenue from Customs.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, appropriated, out of any money in the treasury not otherwise appropriated, the sum of two millions one hundred thousand dollars for the expenses of collecting the revenue from customs for each half-year from and after the last day of December, eighteen hundred and sixty-five, and in addition thereto such sums as may be received during said half-year from fines, penalties, and forfeitures connected with the customs, and from storage, cartage, drayage, and labor; and the first section of an "Act making appropriations for the expenses of collecting the revenue from customs," approved June fourteen, eighteen hundred and fifty-eight, be, and the same is, hereby repealed.

APPROVED, May 3, 1866.

May 3, 1866. [No. 32.] A Resolution expressive of the Gratitude of the Nation to the Officers, Soldiers, and Seamen of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the duty and the privilege of Congress to express the gratitude of the nation to the officers, soldiers, and seamen of the United States, by whose valor and endurance, on the
and on the sea, the rebellion has been crushed and its pride and its power have been humbled, by whose fidelity to the cause of freedom the government of the people has been preserved and maintained, and by whose orderly return from the fire and blood of civil war to the peaceful pursuits of private life the exalting and ennobling influence of free institutions upon a nation has been so signally manifested to the world.

APPROVED, May 3, 1866.

[No. 34.] A Resolution extending the Time for the Completion of the Union Pacific Railway, Eastern Division.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for the completion of the first one hundred miles of railroad and telegraph line by the Leavenworth, Pawnee, and Western Railroad Company, (since called the “Union Pacific Railway Company, eastern division,”) mentioned in the tenth section of the charter of the Union Pacific Railroad Company, of July first, one thousand eight hundred and sixty-two, and in the fifth section of the amendment thereof, of July second, one thousand eight hundred and sixty-four, be, and the same is hereby, extended until the twenty-seventh day of June, one thousand eight hundred and sixty-six; and that the time for completing each succeeding section of one hundred miles shall be reckoned from the said twenty-seventh day of June in said year.

SEC. 2. And be it further resolved, That the time for commencing and completing the Northern Pacific Railroad, and all its several sections, is extended for the term of two years.

APPROVED, May 7, 1866.

[No. 35] Joint Resolution to provide for the Exemption of Crude Petroleum from Internal Tax or Duty, and for other Purposes.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That paraffine oil, not exceeding in specific gravity thirty-six degrees Baumé’s hydrometer, the product of a residuum of distillation; crude petroleum; and crude oil, the product of the first and single distillation of coal, shale, asphaltum, peat, or other bituminous substances, shall, from and after the passage of this joint resolution, be exempt from internal tax or duty.

APPROVED, May 9, 1866.

[No. 37] Joint Resolution relative to the attempted Assassination of the Emperor of Russia.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States of America has learned with deep regret of the attempt made upon the life of the Emperor of Russia, by an enemy of emancipation. The Congress sends greeting to his Imperial Majesty, and to the Russian nation, and congratulates the twenty millions of serfs upon the providential escape from danger of the sovereign, to whose head and heart they owe the blessings of their freedom.

SEC. 2. And be it further resolved, That the President of the United States be requested to forward a copy of this resolution to the Emperor of Russia.

APPROVED, May 16, 1866.
[No. 38] Joint Resolution relative to the Courts and Post Office of New York City.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the mayor and postmaster of the city of New York, the district attorney for the United States at New York city, the president of the Chamber of Commerce of the State of New York, and Jackson S. Shultz, Charles H. Russell, and Moses Taylor, of New York city, be appointed a commission to select a proper site for a building for a post office and for the accommodation of the United States courts in the city of New York; and that they report to the Postmaster-General and the Secretary of the Interior, at their earliest convenience, the selection upon which they, or a majority of them, may agree, and the price at which such site can be purchased by the government for the purposes contemplated in this resolution, if a new site should be selected; and that if said report shall meet the approbation of the Postmaster-General and the Secretary of the Interior, they shall communicate the same, with such additional suggestions as they may think proper, to Congress.

APPROVED, May 16, 1866.

[No. 39.] A Resolution authorizing the Secretary of War to grant the Use of certain Lumber for the Fair for the Soldiers' and Sailors' Orphan Home.

Resolved 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 grant the use of lumber not demanded by the Department for immediate use, for the erection of temporary buildings in the city of Washington for the National Fair for the benefit of the Soldiers' and Sailors' Orphan Home.

APPROVED, May 16, 1866.

[No. 40.] A Resolution to extend the Time for the Construction of the first Section of the Western Pacific Railroad.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for the construction of the first twenty miles of the "Western Pacific railroad" be extended to the first day of January, eighteen hundred and sixty-seven; but this extension is upon the condition to be accepted by said company, and notice of such acceptance to be given by them to the Secretary of the Interior, that the lands known as the lands of the ex-mission of San Jose as included in the map and survey thereof made October, eighteen hundred and sixty-four, by E. H. Dyer, Deputy United States Surveyor, shall not be included in the grant heretofore made to the said Western Pacific Railroad Company.

APPROVED, May 21, 1866.

[No. 41.] A Resolution to authorize certain Medals to be distributed to Veteran Soldiers free of Postage.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adjutant-general of the State of Ohio is hereby authorized to distribute through the mails free of postage, to veteran soldiers re-enlisted in Ohio, certain medals furnished by the general assembly of that State, and in such case the envelope enclosing the same shall be franked by such adjutant-general in the mode prescribed by the Postmaster-General.

APPROVED, May 26, 1866.
Joint Resolution respecting Quarantine and Health Laws.

Be it resolved 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 make and carry into effect such orders and regulations of quarantine as, in his opinion, may be deemed necessary and proper, in aid of State or municipal authorities, to guard against the introduction of the cholera into the ports of the United States; and the Secretary of the Treasury is further authorized to direct the revenue officers and the officers commanding revenue cutters to aid in the execution of such quarantine, and also in the execution of the health laws of the States respectively in such manner as may to him seem necessary. And such an amount of money as may be necessary to carry into effect this joint resolution is hereby appropriated out of any money in the treasury not otherwise appropriated; provided the authority hereby granted shall expire on the first Monday in January, anno Domini eighteen hundred and sixty-seven.

APPROVED, May 26, 1866.

A Resolution providing for the Acceptance of a Collection of Plants tendered to the United States by Frederick Peck.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States accept the collection of plants tendered by Frederick Peck by his memorial of March second, eighteen hundred and sixty-six, and that the same be deposited in the department of agriculture; and the sum of three hundred dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to enable the commissioner of agriculture to procure suitable cases for the protection of such plants.

APPROVED, May 26, 1866.

A Resolution authorizing the Appointment of Examiners to examine a Site for a Fresh-Water Basin for Iron-Clad Vessels of the United States Navy.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be authorized and directed to appoint a board of examiners to examine a site at or near Portland, Maine, for a fresh-water basin for iron-clad vessels of the United States navy, and to ascertain the advantages and cost of said site, and report to this Congress during the present session.

APPROVED, June 1, 1866.

Joint Resolution authorizing the Postmaster-General to pay additional Salary to Letter-Carriers in San Francisco.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be authorized to pay such additional salary to letter-carriers in San Francisco, above that provided by law, as may be necessary to secure competent persons for such service.

APPROVED, June 6, 1866.

Joint Resolution respecting Bounties to Colored Soldiers, and the Pensions, Bounties, and Allowances to their Heirs.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the omission in the muster-rolls of the words "free on or before April nineteen, eighteen hundred and sixty-one," shall not deprive any colored soldier of the bounty to
was a freeman at the time of enlistment, when nothing to the contrary appears.

What to be sufficient proof of marriage of colored soldier, to secure arrears of pay, &c. due at his death. Issue of such marriage to be lawful heirs.

which he is entitled, and which is now or may hereafter be withheld by reason of such omission, but where nothing appears on the muster-roll or of record to show that a colored soldier was not a freeman at the date aforesaid, under the provision of the fourth section of the “Act making appropriations for the support of the army, for the year ending the thirtieth of June, eighteen hundred and sixty-five,” the presumption shall be that the person was free at the time of his enlistment.

SEC. 2. And be it further resolved, That in determining who is or was the wife, widow, or heirs of any colored soldier, evidence that he and the woman claimed to be his wife or widow were joined in marriage by some ceremony deemed by them obligatory, followed by their living together as husband and wife up to the time of enlistment, shall be deemed sufficient proof of such marriage for the purpose of securing any arrears of pay, pension or other allowances due any colored soldier at the time of his death; and the children born of any such marriage shall be held and taken to be the lawful children and heirs of such soldier.

APPROVED, June 15, 1866.

June 15, 1866. [No. 47.] A Resolution making an Appropriation to enable the President to negotiate Treaties with certain Indian Tribes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That one hundred and twenty-one thousand seven hundred and eighty-five dollars and seventy-seven cents, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to enable the President to negotiate treaties with the Indian tribes of the Upper Missouri, and the Upper Platte rivers; said sum to be expended by the commissioner of Indian affairs, under the direction of the Secretary of the Interior.

APPROVED, June 15, 1866.

June 16, 1866. [No. 48.] Joint Resolution proposing an Amendment to the Constitution of the United States.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two thirds of both Houses concurring.) That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three fourths of said legislatures, shall be valid as part of the Constitution, namely: —

ARTICLE XIV.

Who are citizens of the United States and of the States; their privileges and immunities

SEC. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which
the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Sec. 3. No person shall be a senator, or representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two thirds of each house remove such disability.

Sec. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

Sec. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

SCHUYLER COLFAX,
Speaker of the House of Representatives.
LA FAYETTE S. FOSTER,
President of the Senate pro tempore.

Attest:
EDW. MCPHERSON,
Clerk of the House of Representatives.
J. W. FORNEY,
Secretary of the Senate.

Received at Department of State June 16, 1866.

[No. 49.] Joint Resolution relative to Appointments to the Military Academy of the United States.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the age for the admission of cadets to the United States Military Academy shall hereafter be between seventeen and twenty-two years; but any person who has served honorably and faithfully not less than one year as an officer or enlisted man in the army of the United States, either as a volunteer or in the regular service, in the late war for the suppression of the rebellion, and who possesses the other qualifications prescribed by law, shall be eligible to appointment up to the age of twenty-four years.

Sec. 2. And be it further resolved, That cadets at the Military Academy shall hereafter be appointed one year in advance of the time of their admission, except in cases where, by reason of death or other cause, a vacancy occurs which cannot be thus provided for by such appointment in advance; but no pay or allowance shall be made to any such appointee until he shall be regularly admitted on examination as now provided by law; nor shall this provision apply to appointments to be made in the present year. And in addition to the requirements necessary for admission as provided by the third section of the “Act making further provisions for the corps of engineers,” approved April twenty-nine, eighteen hundred and twelve, candidates shall be required to have a knowledge of the elements of English grammar, of descriptive geography, particularly of our own country, and of the history of the United States.

Sec. 3. And be it further resolved, That, in all appointments of cadets to the military academy after those who enter the present year, the person authorized to nominate shall nominate not less than five candidates for each vacancy, all of whom shall be actual residents of the Con
gressional district, Territory, or District of Columbia, entitled to the appointment; and the selection of one shall be made from the candidates according to their respective merits and qualifications, under such rules and regulations as the Secretary of War shall from time to time prescribe.

And in like manner the President of the United States shall be authorized hereafter to nominate fifty at large each year, instead of ten as now provided by law, who shall be examined under like regulations, and of whom the ten who may be reported as most meritorious and best qualified shall be appointed: Provided, however, That not more than two of these shall be appointed in any year from one State.

APPROVED, June 16, 1866.

June 18, 1866

[No. 50.] Joint Resolution to extend to the Counties of Berkeley and Jefferson, of West Virginia, the Provisions of the Act approved July fourth, eighteen hundred and sixty-four, entitled "An Act to restrict the Jurisdiction of the Court of Claims, and to provide for the Payment of certain Demands for Quartermasters' Stores and Subsistence Supplies furnished to the Army of the United States"

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of Congress of July fourth, eighteen hundred and sixty-four, entitled "An act to restrict the jurisdiction of the court of claims, and for other purposes," be and the same are hereby construed to extend to the counties of Berkeley and Jefferson, of the State of West Virginia.

APPROVED, June 18, 1866.

June 18, 1866

[No. 51.] Joint Resolution making an Appropriation for the Repair of the Potomac Bridge.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, to enable the commissioner of public buildings to place the Potomac bridge in such repair as to render it permanently passable, the work to be done immediately after the approval of this joint resolution.

APPROVED, June 18, 1866.

June 18, 1866

[No. 52.] A Resolution to provide for the Payment of Bounty to certain Indian Regiments.

Resolved 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 required to cause to be paid to the enlisted men of the first, second, and third Indian regiments the bounty of one hundred dollars, under the same regulations and restrictions as now determine the payment of bounty to other volunteers in the service of the United States.

APPROVED, June 18, 1866.

June 21, 1866

[No 53.] A Resolution explanatory of, and in Addition to, the Act of May fifth, eighteen hundred and sixty-four, entitled "An Act granting Lands to aid in the Construction of certain Railroads in Wisconsin."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "in a northwestern direction," in the third section of the act entitled "An act granting lands to aid in the construction of certain railroads in the State of Wisconsin," approved May fifth, eighteen hundred and sixty-four shall, without forfeiture to said State, or its assigns, of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of said...
road, in said third section provided for, along and upon the following route, that is to say: from the city of Portage, by the way of the city of Ripon, in the county of Fond du Lac, and the city of Berlin, in the county of Green Lake, to Steven's Point, and thence to Bayfield, and thence to Superior, or Lake Superior. And the Legislature of the said State of Wisconsin, having, in and by an act entitled "An act to incorporate the Portage and Superior Railroad Company, and to execute the trust created by section three of the act of Congress entitled 'An act granting lands to aid in the construction of certain railroads in the State of Wisconsin,' approved May fifth, eighteen hundred and sixty-four," approved April —, eighteen hundred and sixty-six, authorized and required the said Portage and Superior Railroad Company to construct the line of road in the said third section of the said act of Congress provided for, upon and along the route hereinbefore set forth and described, the Congress of the United States hereby gives its assent to the route of the said railroad, as the same is hereinbefore described and set forth, and consents to the selection and application of the lands granted to the State of Wisconsin by the said act of Congress hereinafter mentioned, for and to the line of the said railroad, as the same is hereinbefore defined and described, in the same manner and with the same effect as if the said railroad was located and constructed in strict conformity with and upon the route prescribed in the said third section of the said act of Congress. It being the intention of this resolution to give the assent of the United States to the disposition made by the Legislature of the State of Wisconsin of the land grant herein referred to, and the change of route for the railroad in aid of which the same is granted, and not to make any other disposition, change, or alteration of the grant aforesaid.

Approved, June 21, 1866.


Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to nominate, and by and with the advice and consent of the Senate appoint, Lieutenant-Commander Richard L. Law restored to the Active List of the Navy, and restore him to his original rank in the grade of lieutenant-commander.

Approved, June 22, 1866.

[No. 57.] Joint Resolution to authorize the Distribution of Surplus Copies of the American State Papers in the Custody of the Secretary of the Interior.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to distribute by mail or otherwise four hundred copies of the American state papers, second series, in seventeen volumes, in the manner following, to wit: —

To each member of the Senate and House of Representatives of the present Congress, one copy of each of said seventeen volumes; and to such public and college libraries as may be designated by the joint committee on the library, one copy each.

Approved, June 23, 1866.

[No. 58.] Joint Resolution to pay the State of Vermont the Sum expended for the Protection of the Frontier against the Invasion from Canada, in eighteen hundred and sixty-four.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to pay the State of Vermont any sum Vermont to be paid for expenses for defence and
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that may be found due, after the same shall have been audited by the proper officers of the Treasury Department, expended by the State of Vermont for the defence and protection of the frontier from invasion from Canada, in eighteen hundred and sixty-four: Provided, That the amount to be audited and paid shall not exceed the sum of sixteen thousand four hundred and sixty-three dollars and eighty-one cents.

Approved, June 23, 1866.

July 3, 1866. [No 62.] A Resolution for the Construction of a Railroad Bridge across the Cuyahoga River, over and upon the Government Piers at Cleveland, Ohio.

Resolved 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 permit the Cleveland and Toledo Railroad Company and the Cleveland and Pittsburgh Railroad Company jointly, or either of said companies for their joint use or separate use, to erect a swing bridge over and upon the government piers, for the passage of cars across the Cuyahoga river at the city of Cleveland in the State of Ohio, upon such plan as shall hereafter be approved by the city council of said city of Cleveland and by the board of trade of the same city, subject, however, to such conditions, restrictions, and limitations as said Secretary of War may see fit to impose at any period of time, whether prior or subsequent to the erection of said bridge: Provided, [That] this resolution and all acts done under it shall be subject to the future action of Congress.

Approved, July 3, 1866.

July 3, 1866. [No 63.] A Resolution to authorize the Hiring of a Building or Buildings for the temporary Accommodation of the Department of State.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be authorized to hire a suitable building or buildings for the temporary accommodation of the Department of State, and that such sum of money, not exceeding twenty-five thousand dollars, as may be necessary towards defraying the expense of such hiring, the transfer of the public archives, and the fitting up of the building or buildings, be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated.

Approved, July 3, 1866.

July 5, 1866. [No 66.] Joint Resolution to enable the People of the United States to participate in the advantages of the Universal Exhibition at Paris, in eighteen hundred and sixty-seven.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to enable the people of the United States to participate in the advantages of the universal exhibition of the productions of agriculture, manufactures, and the fine arts, to be held at Paris, in the year eighteen hundred and sixty-seven, the following sums, or so much thereof as may be necessary for the purposes severally specified, are hereby appropriated, out of any money in the treasury not otherwise appropriated:

First. To provide necessary furniture and fixtures for the proper exhibition of the productions of the United States, according to the plan of the imperial commissioners, in that part of the building exclusively assigned to the use of the United States, forty-eight thousand dollars.

Secondly. To provide additional accommodations in the park, twenty-five thousand dollars.

Thirdly. For the compensation of the principal agent of the exhibition in the United States, at the rate of two thousand dollars a year: Pro-
vided, That the period of such service shall not extend beyond sixty days after the close of the exhibition, four thousand dollars, or so much thereof as may be found necessary.

Fourthly. For office rent at New York, for fixtures, stationery, and advertising; for rent of storehouse for reception of articles and products; for expenses of shipping, including cartages, &c.; for freights on the articles to be exhibited from New York to France, and for compensation of four clerks, in conformity with the joint resolution approved on the fifteenth of January, eighteen hundred and sixty-six, and for contingent expenses, the sum of thirty-three thousand seven hundred dollars, or so much thereof as may be found necessary.

Fifthly. For expenses in receiving, bonding, storage, cartage, labor, and so forth, at Havre; for railway transportation from Havre to Paris; for labor in the palace; for sweeping and sprinkling compartments for seven months; for guards and keepers for seven months; for linguists (eight men) for seven months; for storing, packing-boxes, carting, and for material for repacking; for clerk-hire, stationery, rent, and contingent expenses, the sum of thirty-five thousand seven hundred and three dollars, or so much thereof as may be found necessary.

Sixthly. For the travelling expenses of ten professional and scientific commissioners, to be appointed by the President, by and with the advice and consent of the Senate, at the rate of one thousand dollars each, ten thousand dollars, it being understood that the President may appoint additional commissioners, not exceeding twenty in number, whose expenses shall not be paid; but no person interested, directly or indirectly, in any article exhibited shall be a commissioner; nor shall any member of Congress, or any person holding an appointment or office of honor or trust under the United States be appointed a commissioner, agent, or officer under this resolution.

SEC. 2. And be it further resolved, That the governors of the several States be, and they are hereby, requested to invite the patriotic people of their respective States to assist in the proper representation of the handiwork of our artisans, and the prolific sources of material wealth with which our land is blessed, and to take such further measures as may be necessary to diffuse a knowledge of the proposed exhibition, and to secure to their respective States the advantages which it promises.

SEC. 3. And be it further resolved, That it shall be the duty of the said general agent at New York, and the said commissioner-general at Paris, to transmit to Congress, through the Department of State, a detailed statement of the manner in which such expenditures as are hereinbefore provided for are made by them respectively.

APPROVED, July 5, 1866.


Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That where any enlisted man has been or may be detailed for duty as a clerk or for any other duty in any executive bureau, at headquarters or elsewhere, he shall not by such detail be deprived of any rights to bounties now due or hereafter to become due, but shall be as fully entitled thereto as though no such detail had been made.

APPROVED, July 18, 1866.
July 14, 1866.

[No. 69.] A Resolution to authorize the President to place at the Disposal of the Authorities of Portland, Maine, Tents, Camp, and Hospital Furniture and Clothing, for the Use of Families rendered houseless by the late Fire.

Resolved 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 to place at the disposal, without charge, of the city authorities of Portland, Maine, such clothing, condemned or ordered sold, and such surplus camp and garrison equipage, bedding, and hospital furniture, on hand, as can be spared by the army, for the use of families rendered houseless and destitute by the recent conflagration; and that it shall be the duty of the quartermaster's department to deliver these articles at Portland, and to take a receipt for the same of the mayor of the said city, and to receive and properly dispose of the same when no longer needed.

Approved, July 14, 1866.

July 24, 1866.

[No. 73.] Joint Resolution restoring Tennessee to her Relations to the Union.

Preamble.

WHEREAS, in the year eighteen hundred and sixty-one, the government of the State of Tennessee was seized upon and taken possession of by persons in hostility to the United States, and the inhabitants of said State in pursuance of an act of Congress were declared to be in a state of insurrection against the United States; and whereas said State government can only be restored to its former political relations in the Union by the consent of the law-making power of the United States; and whereas the people of said State did, on the twenty-second day of February, eighteen hundred and sixty-five, by a large popular vote, adopt and ratify a constitution of government whereby slavery was abolished, and all ordinances and laws of secession and debts contracted under the same were declared void; and whereas a State government has been organized under said constitution which has ratified the amendment to the Constitution of the United States abolishing slavery, also the amendment proposed by the thirty-ninth Congress, and has done other acts proclaiming and denoting loyalty: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Tennessee is hereby restored to her former proper, practical relations to the Union, and is again entitled to be represented by senators and representatives in Congress.

Approved, July 24, 1866.

July 25, 1866.

[No. 74.] Joint Resolution in Regard to Rations of Union Soldiers held as Prisoners of War.

Preamble.

WHEREAS by general order of the war department of February fourteenth, eighteen hundred and sixty-two, rations to Union soldiers held as prisoners of war in the rebel States, were commuted at a cost price during the period of their imprisonment; and whereas a large number of the said prisoners have been paid under said order, but many equally worthy with them and who have suffered in rebel prisons, have not been so paid: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all United States soldiers, sailors and marines who were held as prisoners of war in the rebel States, shall be paid commutation of rations at cost prices during the period of their imprisonment: Provided, That no person who has sold or transferred any interest in the claim for said commutation, nor any purchaser or assignee of such claim or interest, shall be benefited by this resolution; and the amount of such commutation shall be paid out of any money in the treasury not otherwise appropriated.

Approved, July 25, 1866.
[No. 75.] Joint Resolution in Reference to the Dismal Swamp Canal Company.

Whereas the United States are interested in the Dismal Swamp Canal, connecting the inland waters of the Chesapeake with the sounds of North Carolina, by holding eight hundred shares of the stock of the Dismal Swamp Canal Company; and whereas the canal should be kept open as a navigable highway without further outlay on the part of the United States: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to sell said stock at auction, or otherwise, in such manner as will best protect the interest of the United States in said canal, and will insure that the same will be kept open as such navigable highway, without further expense to the government: Provided, That the instruments and papers effecting such sale, in the manner aforesaid, shall be approved by the Attorney-General before the delivery thereof.

Approved, July 25, 1866.

[No. 76.] Joint Resolution authorizing the Commissioner of Public Buildings to employ three additional Watchmen in the Smithsonian Grounds.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of public buildings and grounds be, and the same is hereby, authorized to employ three additional watchmen for the Smithsonian grounds.

Approved, July 25, 1866.

[No. 77.] A Resolution to authorize the Purchase for the Library of Congress of the Law Library of James L. Petigru, of South Carolina.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint committee on the library be, and they are hereby, authorized to purchase the law library belonging to the estate of the late James Louis Petigru, for the use of the library of Congress; and the sum of five thousand dollars is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, to carry into effect the purpose of this resolution, to be paid only to the use of the widow of the said Petigru.

Approved, July 25, 1866.

[No. 79.] A Resolution manifesting the Sense of Congress towards the Officers and Seamen of the Vessels, and others, engaged in the Rescue of the Officers and Soldiers of the Army, the Passengers, and the Officers and Crew of the Steamship San Francisco, from perishing with the Wreck of that Vessel.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be requested to procure three valuable gold medals, with suitable devices, one to be presented to Captain Creighton, of the ship Three Bells, of Glasgow; one to Captain Low, of the bark Kilby, of Boston; and one to Captain Stouffer, of the ship Antarctic, as testimonials of national gratitude for their gallant conduct in rescuing about five hundred Americans from the wreck of the steamship San Francisco; and that the cost of the same be paid out of any money in the treasury not otherwise appropriated.

Sec. 2. And be it further resolved, That the sum of seven thousand five hundred dollars each is hereby appropriated, out of any money in the treasury not otherwise appropriated, to the above-named captains respectively, as a reward of their humanity and heroism in the rescue of the sur-
Survivors of said wreck, and in case either of the said captains may have died, then the amount hereby appropriated shall be paid to the widow of said deceased captain respectively; if no widow surviving then to the respective child or children of such deceased captain; and in the event of their being no child or children of such deceased captain surviving, then the amount hereby appropriated shall be paid first to the father, or, if the father be not living, then to the mother of such deceased captain respectively.

SEC. 3. And be it further resolved, That there shall be paid to each mate of the three above-named vessels the sum of five hundred dollars, and to each man and boy the sum of one hundred dollars, and in case of the death of the respective mate or mates, or men and boys, that the said respective sums shall be paid in the same way and under the same conditions as the payment is to be made in case of the death of the respective captains.

Approved, July 26, 1866.

July 26, 1866.

[No. 80.]

A Resolution to authorize the Use of certain Plates of the United States Exploring Expedition by the Navy Department.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint committee on the library be authorized and instructed to grant to the navy department the use of such of the engraved plates of the United States Exploring Expedition under Captain Wilkes, now in charge of said committee, as may be desired for the purpose of printing a supply of charts for the use of said department.

Approved, July 26, 1866.

July 26, 1866.

[No. 81.]

A Resolution for the Benefit of the Illinois Soldiers’ College and Military Academy.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to transfer to the Illinois Soldiers’ College and Military Academy, from the surplus on hand and not needed for the public service, cots and bedding necessary to accommodate five hundred persons for the use of free students in said institution disabled by the war.

Approved, July 26, 1866.

July 26, 1866.

[No. 82.]

A Resolution authorizing the Payment of certain Claims against the late Territory of Nevada.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, to enable the Secretary of the Treasury to settle and pay outstanding claims duly examined and allowed, and properly chargeable to the contingent expenses of the executive department of the Territory of Nevada, so much of the unexpended balance of the appropriation for “compensation and mileage of members of the Legislative Assembly, &c., of the Territory of Nevada,” as may be found necessary for that purpose, be, and the same is hereby, transferred to the credit of the fund for paying the contingent expenses of the executive department of that Territory, and that the proper accounting officers of the treasury are hereby authorized and directed, out of the said balance, hereby directed to be transferred, to pay the claims so adjusted and allowed.

Approved, July 26, 1866.
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[No. 83.] A resolution to provide for codifying the laws relating to the customs.

Resolved 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 cause to be prepared and submitted to Congress at its next session, under the direction of one member of the Senate and one member of the House of Representatives, each to be appointed by the presiding officer of the body to which he belongs, a general customs revenue law, designed to supersede all other laws on that subject, and embracing all necessary provisions for regulating the foreign and coasting trades, the assessment and collection of duties on goods, wares, and merchandise imported from foreign countries, and other subject-matters immediately pertaining thereto; the expenses necessarily incurred in the preparation thereof to be paid from the appropriation for the expenses of collecting the revenue from customs: Provided, That the said expenses shall not exceed ten thousand dollars.

APPROVED, July 26, 1866.

[No. 84.] A resolution providing for the examination of the accounts of the State of Massachusetts for moneys expended during the war for coast defence.

Resolved 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 he is hereby, authorized and requested to appoint, by and with the advice and consent of the Senate, two commissioners who shall examine into the claim of the State of Massachusetts for moneys expended for coast defence during the war, and shall make a full and complete report thereon to Congress at its next session.

APPROVED, July 26, 1866.

[No. 85.] A resolution granting the right of way through military reserves to the Union Pacific Railroad Company and its branches.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to approval by the President, the right of way, one hundred feet in width, is hereby granted to the Union Pacific Railroad Company and the companies constructing the branch roads connecting therewith, for the construction and operation of their roads over and upon all military reserves through which the same may pass; and the President is hereby authorized to set apart to the Union Pacific Railway Company, eastern division, twenty acres of the Fort Riley military reservation, for depot and other purposes, in the bottom opposite "Riley City"; also fractional section "one" on the west side of said reservation, near Junction City, for the same purposes; and also to restore, from time to time, to the public domain, any portion of said military reserve over which the Union Pacific railroad, or any of its branches, may pass, and which shall not be required for military purposes. Provided, That the President shall not permit the location of any such railroad or the diminution of any such reserve in any manner so as to impair its usefulness for military purposes, so long as it shall be required therefor.

APPROVED, July 26, 1866.

[No. 86.] Joint resolution amendatory of a joint resolution entitled "a resolution respecting bounties to colored soldiers, and the pensions, bounties, and allowances to their heirs," approved June 15, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "at the time of his enlistment," at the end of section one of the "resolution respecting the words "at the time of his enlistment," at
end of section one, stricken out.

Agent or attorney making claim for bounty must file with each claim his oath that, &c.

Fees of agents.

Penalty for charging more than legal fees.

If payments are made by check, &c. claimant how to establish his identity.

Soldiers not to sell or assign, &c. discharges, &c. Such sales, &c. void.

APPROVED, July 26, 1866.

July 26, 1866.

Certain commissioned officers actually entering on duty, but not mustered in within &c. to have full pay from what date.

Heirs, &c. of such officers to receive arrears of pay and pensions.

bounties to colored soldiers, and the pensions, bounties, and allowances to their heirs,” approved June fifteen, eighteen hundred and sixty-six, be, and the same are hereby, stricken out.

SEC. 2. And be it further resolved, That whenever application shall be made by any claimant for bounty under the provisions of the joint resolution aforesaid, by or through any agent or attorney, such agent or attorney shall hereafter be required to file with each claim his oath or affirmation that he has no interest whatever in said bounty beyond the fees for collection of the same, which are hereby fixed and established as follows, viz: for the preparation and prosecution of claims for, and the collection and remittance of, all sums not exceeding fifty dollars, the sum of five dollars; for all sums exceeding fifty and less than one hundred dollars, the sum of seven dollars and fifty cents; and for all sums exceeding one hundred dollars, the sum of ten dollars; and said fees shall include all expenses incidental to the collection of said claims, except the expense of the necessary affidavits and notarial or other acknowledgments, which shall be defrayed by the claimant; and any agent or attorney who shall charge, directly or indirectly, in any case, a greater sum for his services in preparing and prosecuting said claims and collecting and remitting the amount due, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by fine not exceeding three thousand nor less than one thousand dollars, and shall be forever excluded from prosecuting military or naval claims against the government.

SEC. 3. And be it further resolved, That in case the payments shall be made in the form of a check, order, or draft upon any paymaster, national bank, or government depository, it shall be necessary for the claimant to establish, by the affidavits of two credible witnesses, that he is the identical person named therein; but in no case shall such checks, orders, or drafts be made negotiable until after such identification.

SEC. 4. And be it further resolved, That it shall not be lawful for any soldier to transfer, assign, barter, or sell his discharge, for the purpose of transferring, assigning, bartering, or selling any interest in any bounty under the provisions of said resolution; and all such transfers, assignments, barter, or sales heretofore made are hereby declared null and void as to any rights intended so to be conveyed by any such soldier.

APPROVED, July 26, 1866.

[No. 87.] Joint Resolution for the Relief of certain Officers of the Army.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in every case in which a commissioned officer actually entered on duty as such commissioned officer, but by reason of being killed in battle, capture by the enemy, or other cause beyond his control, and without fault or neglect of his own, was not mustered within a period of not less than thirty days, the pay department shall allow to such officer full pay and emoluments of his rank from the date on which such officer actually entered on such duty as aforesaid, deducting from the amount paid in accordance with this resolution all pay actually received by such officer for such period.

SEC. 2. And be it further resolved, That the heirs or legal representatives of any officer whose muster into service has been or shall be amended hereby, shall be entitled to receive the arrears of pay due such officer or the pension provided by law for the grade into which such officer is mustered under the provisions of the first section of this resolution.

APPROVED, July 26, 1866.
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of the circuit court for the district of West Virginia, heretofore held at Lewisburg, in the county of Greenbrier, shall be hereafter held at the city of Parkersburg, at the time now fixed by law.

APPROVED, July 27, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "A resolution to provide for the printing of official reports of the armies of the United States," approved May nineteen, eighteen hundred and sixty-four, be, and the same is hereby, repealed.

SEC. 2. And be it further resolved, That the Secretary of War be, and he is hereby, authorized and required to appoint a competent person to arrange and prepare for publication the official documents relating to the rebellion and the operations of the army of the United States, who shall prepare a plan for said publication and estimates of the cost thereof, to be submitted to Congress at its next session.

SEC. 3. And be it further resolved, That the person whose appointment is hereby authorized shall receive a compensation for his services not to exceed two thousand five hundred dollars per annum, to be paid monthly by the Secretary of the Treasury, out of any moneys in the treasury not otherwise appropriated: Provided, That said compensation shall not be paid for a longer period than two years from and after the passage of this resolution.

APPROVED, July 27, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of internal revenue is hereby authorized to suspend the collection of such taxes as may have been assessed, or as may have accrued prior to the fifth day of July, eighteen hundred and sixty-six, in the first collection district of the State of Maine, against any person residing or doing business and owning property in that portion of the city of Portland recently destroyed by fire, and who, in the opinion of said commissioner, has suffered material loss by such fire: Provided, That such suspension shall not be continued after the close of the next session of Congress.

APPROVED, July 27, 1866.

Resolved 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 furnish to each State, to be delivered to the governor thereof, one set of the standard weights and measures of the metric system for the use of the States respectively.

APPROVED, July 27, 1866.
WHEREAS the House has been informed that certain peaceable and law-abiding citizens, while assembled at and within the building recently erected in this city for the benefit of orphans of deceased soldiers and sailors of the United States, situate on the corner of Seventh Street and Pennsylvania Avenue, have been illegally and improperly dispersed by the mayor of this city, for the alleged reason that they belonged to a Fenian organization, and thus prevented from exercising their rights and privileges as citizens of the United States: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said citizens are hereby authorized, whenever permitted so to do by the Speaker of this House, or the President of the Senate, to use and to occupy said building for the purpose of holding meetings for any proper and lawful purpose, and particularly in reference to the liberation of Ireland.

Approved, July 28, 1866.

The payment of $39,000 to be made to certain Michigan Indians.

Annuity now paid to be restored.

Payment to be made from what funds and how.

A contract may be made with Miss Vinnie Ream for a life-size model and statue of the late President Abraham Lincoln.

Provisions of act 1864, ch. 240, extended to loyal
to limit the jurisdiction of the court of claims," is hereby extended to the loyal citizens of the State of Tennessee.

Approved, July 28, 1866.

[No. 100.] Joint Resolution authorizing the Transmission through the Mails, free of Postage, of certain Certificates, by the Adjutant-General of New Jersey.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adjutant-general of New Jersey be authorized to transmit through the mails, free of postage, certain certificates of thanks awarded by the legislature to the soldiers of that State, under such regulations as the postmaster-general may direct.

Approved, July 28, 1866.

[No. 101] Joint Resolution authorizing the Secretary of War to settle with the Territory of Colorado for the Militia of said Territory employed in the Service of the United States in the Years eighteen hundred and sixty-four and eighteen hundred and sixty-five.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to settle with the proper authorities of the Territory of Colorado, for the services of the first regiment of Colorado mounted militia, called into the service of the United States on the requisition of Colonel Thomas Moonlight, in the year eighteen hundred and sixty-five, and for the services of any other militia forces of the said Territory which were employed in the service of the United States on the call of the governor of the Territory in the year eighteen hundred and sixty-four, allowing in such settlement all amounts paid by the Territory to the said troops for pay, use of horses, clothing and other proper allowances during the time when they were so actually in service, and that he report the amount found to be justly due to said Territory on such account to Congress in December next.

Approved, July 28, 1866.

[No. 102] Joint Resolution to prevent the further Enforcement of the Joint Resolution, approved July 4, 1864, against Officers and Soldiers of the United States, who have been honorably discharged, so as to relieve them from the further Payment of the special Five Per Cent Income Tax imposed thereby.

W hereas by the Joint Resolution (No. 77) of Congress, approved July fourth, eighteen hundred and sixty-four, a special income tax of five per cent on all incomes exceeding six hundred dollars was directed to be assessed and collected and was enforced generally upon all citizens accessible to the revenue officers, but was not enforced against all our soldiers then in the field in the active service of the country; and whereas since the surrender of the insurrectionary armies, and the disbanding and return of the federal soldiers to their homes, said tax is being with manifest hardship assessed and collected of them in many parts of the country: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said special tax, so imposed, shall not be further enforced against officers or soldiers lately in the service of the United States, and who have been honorably discharged therefrom, and that the Secretary of the Treasury direct the proper observance of this resolution by all revenue officers.

Approved, July 28, 1866.
PUBLIC ACTS OF THE THIRTY-NINTH CONGRESS
OF THE
UNITED STATES,

Passed at the Second Session, which was begun and held at the City of
Washington, in the District of Columbia, on Monday, the third day of
December, A. D. 1866, and ended on Monday the fourth day of March,
A. D. 1867.

ANDREW JOHNSON, President. LA FAYETTE S. FOSTER, President of
the Senate. BENJAMIN F. WADE was elected President of the Senate,
pro tempore, on the fourth day of March, A. D. 1867. SCHUYLER
COLFAX, Speaker of the House of Representatives.

CHAP. IV.-An Act making Appropriations and to supply Deficiencies in the Appropriations
for the Service of the Government for the fiscal Year ending June thirtieth,
eighteen hundred and sixty-seven, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the following sums, or so Deficiency and
much thereof as may be necessary, be, and the same are hereby, appropriated for the objects hereinafter expressed, for the fiscal year ending
June thirtieth, eighteen hundred and sixty-seven, viz:

Office of Superintendent of Public Printing.—For public printing, eighty thousand dollars.

For paper for public printing, four hundred and fifty thousand dollars.

Bureau of Statistics.—For contingent expenses, viz: Laborers, office furniture, carpets, files, and miscellaneous items, six thousand dollars.

Southeast Executive Building, including the Extension.—For fuel, light, and labor, twenty-three thousand dollars.

Office of the Sixth Auditor.—To refund to the office of the sixth auditor so much of the appropriation of seventeen thousand dollars, under the act of May seventeenth, eighteen hundred and sixty-four, appertaining to the office of the sixth auditor, transferred to the general salary account of the Post-Office Department, eight thousand eight hundred dollars.

For Special Objects, estimated for by the Supervising Architect of the Treasury.—For fencing the grounds south of the treasury building, and the President’s mansion, fifteen thousand dollars.

For repairs and preservation of public buildings, twenty-five thousand dollars.

For furniture, and repairs of furniture for the same, ten thousand dollars.

For furniture, carpets, and repairs of treasury buildings in Washington, District of Columbia, twenty thousand dollars.

For heating apparatus for public buildings, ten thousand dollars.

For salaries of ten supervising, and fifty-nine local inspectors, appointed under the act of August thirtieth, eighteen hundred and fifty-two, for the better protection of the lives of passengers by steamboats, with travelling and other expenses incurred by them, seven thousand dollars.

For a deficiency in flagging the furnace room, and repairs about the stable at the executive mansion, one thousand five hundred dollars.
Metropolitan Police. — For salaries of increased force, under act of July twenty-third, eighteen hundred and sixty-six, from November first, eighteen hundred and sixty-six, to June thirtieth, eighteen hundred and sixty-seven, viz: —

One captain and inspector, at one thousand two hundred dollars per annum, seven hundred and ninety-eight dollars and ninety-one cents.

One clerk to major of police, at one thousand dollars per annum, six hundred and sixty-five dollars and seventy-six cents.

Twenty sergeants of police, at sixty-five dollars a month, ten thousand four hundred dollars.

Fifty privates of police, at sixty dollars a month, twenty-four thousand dollars.

And the compensation of said increased force is hereby increased fifty per centum upon the amount hereby appropriated, commencing on the first day of November, eighteen hundred and sixty-six; said increase to be borne by the cities of Washington and Georgetown, and the county of Washington, in the proportion equal to the number of privates allotted severally to the cities of Washington and Georgetown, and the county beyond the limits of said cities; and the corporate authorities of said cities of Washington and Georgetown, and the levy court of said county be, and they are hereby authorized and required to levy a special tax not exceeding one quarter of one per centum for the purpose aforesaid.

Department of the Interior. — For commutation of quarters and fuel to officer of corps of engineers, United States army, in charge of engineer office, Department of the Interior, for present fiscal year, agreeable to army regulations, one thousand two hundred and one dollars and ninety-five cents.

For repairing the damage done to the Washington aqueduct by freshets in the year eighteen hundred and sixty-six, twelve thousand dollars.

Watchmen in Smithsonian Grounds.

To enable the commissioner of public buildings to pay three watchmen employed in the Smithsonian grounds for the fiscal year ending June thirty, eighteen hundred and sixty-seven, the sum of twenty-four hundred and seventy-five dollars is hereby appropriated.


State Department. Foreign intercourse.

To enable the commissioner of public buildings to pay to the watchmen mentioned in the fifth section of the act appropriating for sundry civil expenses for the fiscal year ending June thirty, eighteen hundred and sixty-seven, the difference between their pay as fixed prior to the passage of that act and the allowance made by said section, two thousand dollars is hereby appropriated.

Department of State. — To supply a deficiency in the appropriation for the contingent expenses of foreign intercourse, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, two hundred and fifty thousand dollars.

Approved, December 20, 1866.

CHAP. V. — An Act to amend an Act entitled "An Act granting Lands to the State of Oregon, to aid in the Construction of a military Road from Eugene City to the eastern Boundary of said State."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act granting lands to the State of Oregon, to aid in the construction of a military road from Eugene City to the eastern boundary of said State." be amended as follows: That there be, and is hereby, granted to said State, for the purposes aforesaid, such odd sections or parts of odd sections not reserved or otherwise legally appropriated, within six miles on each side of said road, to be selected by the surveyor-general of said State, as shall be sufficient to supply any deficiency in the quantity of said grant as described, occasioned by any lands sold or reserved, or to which the rights
of pre-emption or homestead have attached, or which for any reason were
not subject to said grant within the limits designated in said act.

APPROVED, December 26, 1866.

CHAP. V L — An Act to regulate the elective Franchise in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That, from and after the
passage of this act, each and every male person, excepting paupers and
persons under guardianship, of the age of twenty-one years and upwards,
who has not been convicted of any infamous crime or offence, and except-
ing persons who may have voluntarily given aid and comfort to the rebels
in the late rebellion, and who shall have been born or naturalized in the
United States, and who shall have resided in the said District for the
period of one year, and three months in the ward or election precinct in
which he shall offer to vote, next preceding any election therein, shall be
entitled to the elective franchise, and shall be deemed an elector and enti-
tled to vote at any election in said District, without any distinction on
account of color or race.

SEC. 2 And be it further enacted, That any person whose duty it shall
be to receive votes at any election within the District of Columbia, who
shall wilfully refuse to receive, or who shall wilfully reject, the vote of
any person entitled to such right under this act, shall be liable to an action
of tort by the person injured, and shall be liable, on indictment and con-
viction, if such act was done knowingly, to a fine not exceeding five thou-
sand dollars, or to imprisonment for a term not exceeding one year in the
jail of said District, or to both.

SEC. 3. And be it further enacted, That if any person or persons shall
wilfully interrupt or disturb any such elector in the exercise of such fran-
chise, he or they shall be deemed guilty of a misdemeanor, and, on con-
viction thereof, shall be fined in any sum not to exceed one thousand dol-
ars, or be imprisoned in the jail in said District for a period not to ex-
ceed thirty days, or both, at the discretion of the court.

SEC. 4. And be it further enacted, That it shall be the duty of the sev-
eral courts having criminal jurisdiction in said District to give this act in
special charge to the grand jury at the commencement of each term of the
court next preceding the holding of any general or city election in said
District.

SEC. 5. And be it further enacted, That the mayors and aldermen of the
cities of Washington and Georgetown, respectively, on or before the first
day of March, in each year, shall prepare a list of the persons they judge
to be qualified to vote in the several wards of said cities in any election;
and said mayors and aldermen shall be in open session to receive evidence
of the qualification of persons claiming the right to vote in any election
therein, and for correcting said list, on two days in each year, not exceed-
ing five days prior to the annual election for the choice of city officers,
giving previous notice of the time and place of each session in some news-
paper printed in said District.

SEC. 6. And be it further enacted, That on or before the first day of
March the mayors and aldermen of said cities shall post up a list of vo-
tees thus prepared in one or more public places in said cities, respectively,
at least ten days prior to said annual election.

SEC. 7. And be it further enacted, That the officers presiding at any
election, shall keep and use the check-list herein required at the polls dur-
ing the election of all officers, and no vote shall be received unless deliv-
ered by the voter in person, and not until the presiding officer has had
opportunity to be satisfied of his identity, and shall find his name on the
list, and mark it, and ascertain that his vote is single.

SEC. 8. And be it further enacted, That it is hereby declared unlawful

January 8, 1867.

Who to be deemed electors
and entitled to vote in the Dis-

 Penalty for
wilfully refusing

 Criminal courts to
charge Grand Jury.

 Voting lists to
be prepared in
Washington and
Georgetown,

 to be posted in
public places
ten days before
annual election.

 Check-list to
 be used at all
elections, and
votes received
 only, &c.
for any person, directly or indirectly, to promise, offer, or give, or procure or cause to be promised, offered, or given, any money, goods, right in action, bribe, present, or reward, or any promise, understanding, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or any other valuable thing whatever, to any person with intent to influence his vote to be given at any election hereafter to be held within the District of Columbia; and every person so offending shall, on conviction thereof, be fined in any sum not exceeding two thousand dollars, or imprisoned not exceeding two years, or both, at the discretion of the court.

Sec. 9. And be it further enacted, That any person who shall accept, directly or indirectly, any money, goods, right in action, bribe, present, or reward, or any promise, understanding, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or any other valuable thing whatever, to influence his vote at any election hereafter to be held in the District of Columbia, shall, on conviction, be imprisoned not less than one year and be forever disfranchised.

Sec. 10. And be it further enacted, That all acts and parts of acts inconsistent with this act be, and the same are hereby repealed.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,
President of the Senate, pro tempore.

IN SENATE OF THE UNITED STATES, January 7, 1867.

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act to regulate the elective franchise in the District of Columbia," with his objections thereto, the Senate proceeded in pursuance of the Constitution to reconsider the same, and

Resolved, That the said bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

J. W. FORNEY,
Secretary of the Senate.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, January 8, 1867.

The House of Representatives having proceeded, in pursuance of the Constitution to reconsider the bill entitled "An act to regulate the elective franchise in the District of Columbia," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representaitves, with the message of the President returning the bill:

Resolved, That the bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWD. McPHERSON,
Clerk.

Jan. 14, 1867. CHAP. VII. — An Act suspending the Payment of Moneys from the Treasury as Compensation to Persons claiming the Service or Labor of colored Volunteers or drafted Men, and for other Purposes. 

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the final report of the commissioners provided for in the second section of the act of Congress entitled "An act making appropriation for sundry civil expenses of the
government for the year ending June thirtieth, eighteen hundred and sixty-seven, and for other purposes," approved July twenty-eighth, eighteen hundred and sixty-six, shall be made, through the Secretary of War, to Congress; and no money shall be paid from the Treasury, or from any fund therein, upon the same, or otherwise, to any claimant under the provisions of section twenty-four of the act approved February twenty-fourth, eighteen hundred and sixty-four, entitled "An act to amend an act, entitled, "An act for enrolling and calling out the national forces, and for other purposes," approved March third, eighteen hundred and sixty-three, until such report shall be approved and confirmed by Congress.

APPROVED, January 14, 1867.

CHAP. VIII.—An Act to repeal Section thirteen of "An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes," approved July seventeenth, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the thirteenth section of an act entitled "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," approved July seventeenth, eighteen hundred and sixty-two, be, and the same is hereby, repealed.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,
President of the Senate, pro tempore.

Endorsed by the President: "Received Wednesday, January, 9th, 1867.

[Note by the Department of State.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. IX.—An Act setting aside certain Proceeds from Internal Revenue for the Erection of Penitentiaries in the Territories of Nebraska, Washington, Colorado, Idaho, Montana, Arizona, and Dakota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the net proceeds of the internal revenue of the territories of Nebraska, Washington, Colorado, Idaho, Montana, Arizona, and Dakota, for the fiscal years severally ending on the thirtieth day of June, eighteen hundred and sixty-six, the thirtieth day of June, eighteen hundred and sixty-seven, and the thirtieth day of June, eighteen hundred and sixty-eight, be, and the same hereby are, set aside and appropriated to and for the purpose of erecting, under the direction of the Secretary of the Interior, penitentiary buildings in said several Territories, at such places therein as have been or may be designated by the legislatures thereof, and approved by the Secretary of the Interior.

Provided, That the moneys so set aside and appropriated in each of said Territories shall be devoted exclusively to the erection of a penitentiary in the Territory in which the same has been and shall be collected, and not in any other, and that the same shall not exceed in amount the sum of twenty thousand dollars in said Territory of Washington, and forty thousand dollars in each of the said Territories of Nebraska, Colorado, Idaho, Montana, Arizona, and Dakota.

APPROVED, January 22, 1867.
CHAP. X.—An Act to fix the Times for the regular Meetings of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the present regular times of meeting of Congress, there shall be a meeting of the Fortieth Congress of the United States, and of each succeeding Congress thereafter, at twelve o'clock meridian, on the fourth day of March, the day on which the term begins for which the Congress is elected, except that when the fourth of March occurs on Sunday, then the meeting shall take place at the same hour on the next succeeding day.

SEC. 2. And be it further enacted, That no person who was a member of the previous Congress shall receive any compensation as mileage for going to or returning from the additional session provided for by the foregoing section.

APPROVED, January 22, 1867.

CHAP. XI.—An Act in Regard to the Compensation of Route Agents in the Post-Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be authorized to pay route agents in the service of the Post-Office Department any sum not less than nine hundred dollars nor more than twelve hundred dollars per annum.

APPROVED, January 22, 1867.

CHAP. XII.—An Act to incorporate the National Safe Deposit Company of Washington, in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That A. R. Shepherd, William S. Huntington, S. P. Brown, G. W. Riggs, Nathaniel Wilson, G. H. Plant, together with the subscribers to the stock of the association hereby created, and their successors and assigns, shall be and they are hereby, declared to be a body politic and corporate, by the name and style of the National Safe Deposit Company of Washington, and by that name shall have succession and be capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all courts of law and equity and elsewhere, to make and to use a common seal, and the same to alter or renew at pleasure, and generally to do and perform all things relative to the object of this institution, which is now or shall be lawful for any individual or body politic or corporate to do.

SEC. 2. And be it further enacted, That the capital stock of said company shall consist of a sum not exceeding two hundred thousand dollars, divided into two thousand shares, of one hundred dollars each, and that so soon as one fourth of the shares have been subscribed for, and twenty-five dollars per share paid at the time of subscribing, and the balance secured to be paid, then this company shall be competent to transact all kinds of business for which it is established.

SEC. 3. And be it further enacted, That the corporators hereunto named, or any three of them, shall open books of subscription for the capital stock of this company hereby incorporated, at such time and in such suitable place in the city of Washington as they may think proper, and shall receive the instalments on the stock of said company provided for in section second, and shall deliver the money so paid to the board of directors so soon as they shall be appointed and prepared to receive the same.

SEC. 4. And be it further enacted, That the stockholders composing
this company, or their representatives by proxy, shall, on such day as they or a majority of them shall determine, choose by ballot from among said stockholders seven directors to serve for one year, or until others are chosen, each stockholder to have one vote for every five shares of stock, and the directors so chosen shall, at their first meeting, choose by ballot a president and vice-president from among their own body, and in case of death, resignation, or disqualification of the president or vice-president, or a director or directors, shall proceed to elect another or others to fill the vacancy for the remainder of the year.

Sec. 5. And be it further enacted, That the president, vice-president, and directors of said company shall be, and they are hereby, authorized and empowered to receive and keep on special deposit all such valuables, gold, silver, or paper money, bullion, precious metals, jewels, plate, certificates of stock, or evidence of indebtedness, deeds, or muniments of title, or other valuable papers of any kind, or any other article or thing whatsoever, which may be left or deposited for safe-keeping with said company, and shall be entitled to charge such commissions or compensation therefor as may be agreed upon, and for the complete preservation and safe-keeping thereof shall construct, erect, lease, or purchase, such fire-proof and burglar-proof building or buildings, vaults, iron, or composition safes or other means which may become necessary, and generally to transact and perform all the business relating to the safe-keeping or preservation of all such articles or valuables as may be deposited with said company, and also to invest the capital or other funds belonging to the said company, from time to time, in the public funds of the United States, or in any stock or property whatsoever, and to dispose of the said stocks, money, and property in such manner (not contrary to law), as to them shall appear most advantageous to said company.

Sec. 6. And be it further enacted, That the President, Vice-President, and Directors, shall declare dividends of the profits of the corporation, annually or semi-annually, as they may deem best; and in case of any loss or losses, whereby the capital shall be diminished, no subsequent dividend shall be made until a sum equal to such diminution, arising from the profits of the corporation or contributions of stockholders shall be added to the capital.

Sec. 7. And be it further enacted, That the President, Vice-President, and Directors of the corporation hereby created, shall have power to enact and adopt such rules, regulations, and by-laws for the government and management of the affairs of said corporation, as they may deem advantageous to the interest thereof.

Sec. 8. And be it further enacted, That nothing herein contained, shall be taken or construed to give the corporation hereby created, the power to issue or circulate as currency, any bill, note, token, or evidence of indebtedness of its own creation; nor be deemed to authorize the said corporation to pay interest on deposits of money, securities, or any other property deposited with it; and the operations of this corporation shall be confined to the District of Columbia.

Approved, January 22, 1867.

CHAP. XV. — An Act to regulate the elective Franchise in the Territories of the United States.

Jan. 25, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, there shall be no denial of the elective franchise in any of the Territories of the United States, now, or hereafter to be organized, to any citizen thereof, on account of race, color, or previous condition of servitude: and all acts or parts of acts, either of Congress or the Legislative
Repeal of inconsistent laws. Assemblies of said Territories, inconsistent with the provisions of this act are hereby declared null and void.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,
President of the Senate, pro tempore.

Endorsed by the President: "Received on the 14th January, 1867."

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

Jan 31, 1867. CHAP. XVI.—An Act to incorporate the Washington County Horse Railroad Company in the District of Columbia.

Washington County Horse Railroad Company incorporated.

Route.

Proviso.

Rate of fare.

Railroad to be deemed real estate.

Taxation.

Mode of construction.

Width and gauge of track.

Ordinary travel not to be interfered with.

This act may be altered, &c.

Corporation not to issue notes, &c. as currency.

Capital stock, shares, and how transferable.

Cars to be first-class; to be run as often as, &c.

Offices, stables, &c.

SEC. 2. And be it further enacted, That the said railroad shall be deemed real estate, and it, with the other real and personal property of said body corporate, shall be liable to taxation as other real estate and personal property in the county aforesaid, except as hereinafter provided.

SEC. 3. And be it further enacted, That the said railway shall be laid in the most approved manner adapted for street railways. And the tracks shall not be more than six nor less than four feet apart, and the gauge the same as that of the street railways in the city of Washington.

SEC. 4. And be it further enacted, That the tracks of the said railway shall be laid in such a manner as will least interfere with the ordinary travel of the roads over which the said tracks shall be laid.

SEC. 5. And be it further enacted, That this act may at any time be altered, amended, or repealed by the Congress of the United States.

SEC. 6. And be it further enacted, That nothing in this act shall be so construed as to authorize said body corporate to issue any note, token, device, scrip, or other evidence of debt to be used as currency.

SEC. 7. And be it further enacted, That the capital stock of said company shall be not less than two nor more than five hundred thousand dollars, and that the stock shall be divided into shares of fifty dollars each, and shall be deemed personal property, transferable in such manner as the by-laws of said company may direct.

SEC. 8. And be it further enacted, That the said company shall place first-class cars on said railway, with all the modern improvements for the convenience and comfort of passengers; and shall run cars thereon daily as often as the public convenience may require.

SEC. 9. And be it further enacted, That said company shall procure such passenger-rooms, ticket-offices, stables, and depots at such points as
the business of the railroad, and the convenience of the public, may require.
And the said company is hereby authorized to lay such rails as may be
necessary for the purpose of connecting the said stables and depots with
main tracks. And the said company is hereby authorized to purchase or
lease such lands or buildings as may be necessary for passenger-rooms,
ticket-offices, stables, and depots above mentioned.

SEC. 10. And be it further enacted, That all articles of value that may
be inadvertently left in the cars, or other vehicles of said company, shall
be taken to their principal depot and entered in a book of record of un-
claimed goods, which book shall be open to the inspection of the public at
all reasonable hours of business.

SEC. 11. And be it further enacted, That said corporation shall, on de-
mand of the President of the United States, Secretary of War, or Secre-
tary of the Navy, cause to be transported over said railway any freight-
cars, laden with freight for the use of the United States; the officers
causin such service to be done shall pay a reasonable compensation there-
for.

SEC. 12. And be it further enacted, That within thirty days after the
passage of this act the corporators named in the first section, or a major-
ity of them, or if any refuse or neglect to act, then a majority of the re-
mainder, shall cause the books of subscription to the capital stock of said
company to be opened and kept open in some convenient and accessible
place in the city of Washington, from nine o'clock in the forenoon until
three o'clock in the afternoon, for a period to be fixed by said corporators,
not less than two days, and said corporators shall give public notice, by
advertisement in the daily papers published in the city of Washington, of
the time when and the place where said books shall be opened; and sub-
scribers upon said books to the capital stock of the company shall be held
to be stockholders: Provided, That every subscriber shall pay at the time
of subscribing, twenty-five per cent of the amount by him subscribed to
the treasurer appointed by the corporators, or his subscription shall be
null and void. If a larger amount than the capital stock of said com-
pany shall have been subscribed, the books shall be closed, and the said
corporators named in the first section shall forthwith proceed to apportion
said capital stock among the subscribers pro rata, and make public pro-
clamation of the number of shares allotted to each, which shall be done
and completed on the same day that the books are closed. Provided
further, That nothing shall be received in payment of the twenty-five per
cent, at the time of subscribing, except money. And when the books
of subscription to the capital stock of said company shall be closed, the
corporators named in the first section, or a majority of them, and in case
any of them refuse or neglect to act, then a majority of the remainder,
shall, within twenty days thereafter, call a meeting for the choice of direc-
tors, of which public notice shall be given for five days in two public
newspapers published daily in the city of Washington, or by written per-
sonal notice to each stockholder by the clerk of the corporation; and in
all meetings of the stockholders, each share shall entitle the holder to one
vote, to be given in person or by proxy.

SEC. 13. And be it further enacted, That the government and direction
of the affairs of the company shall be vested in a board of directors, sev-
en in number, who shall be stockholders, and who shall hold their office
for one year, and till others are duly elected and qualified to take their
places as directors; and the said directors (a majority of whom, the
President being one, shall be a quorum,) shall elect one of their number to
be President of the board, who shall also be President of the company,
and they shall also choose a Treasurer, who shall give bonds with surety
to said company, in such sum as the said directors may require, for the
faithful discharge of his trust. In case of a vacancy in the board of di-
rectors, by the death, resignation, or otherwise, of any director, the vacan-
cy occasioned thereby shall be filled by the remaining directors
By-laws

SEC. 14. And be it further enacted, That the directors shall have full power to make and prescribe such by-laws, rules, and regulations as they shall deem needful and proper, touching the disposition and management of the stock, property, estate, and effects of the company, not contrary to the charter, or to the laws of the United States.

Annual meeting of stockholders.

SEC. 15. And be it further enacted, That there shall be an annual meeting of the stockholders, for choice of directors, to be holden at such time and place, under such conditions, and upon such notice as said company by their by-laws may prescribe, and said directors shall annually make a report to the stockholders, and to Congress, of their doings.

Penalty for obstructing railway.

SEC. 16. And be it further enacted, That the said company shall have, at all times, the free and uninterrupted use of their roadway, and if any person or persons shall wilfully and unnecessarily obstruct or impede the passage on or over said railway or any part thereof, or shall injure or destroy the cars, depot stations, or any property belonging to said railway company, the person or persons so offending shall forfeit and pay for every such offence, the sum of twenty dollars to said company, and shall remain liable, in addition to the said penalty, for any loss or damage occasioned by his, her, or their act, as aforesaid, but no suit shall be brought unless commenced within sixty days after such offence shall have been committed.

Railway to be completed within one year.

SEC. 17. And be it further enacted, That the said company shall make and complete said railway within one year after the organization of the same.

Repeal of inconsistent acts.

SEC. 18. And be it further enacted, That all acts and parts of acts heretofore passed, which are inconsistent with any of the provisions for the purposes of this act, are hereby repealed, so far as the same are inconsistent herewith.

Levy court of Washington County not to hinder, delay, or obstruct.

SEC. 19. And be it further enacted, That the levy court of the County of Washington, are hereby prohibited from doing any act or thing to hinder, delay, or obstruct the construction or operation of said railroad as herein authorized, but Congress may, at any time, alter, amend, or repeal this act.

APPROVED, January 31, 1867.

Jan. 31, 1867.

CHAP. XVII. — An Act to incorporate The First Congregational Society of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Oliver O. Howard, Silas H. Hodges, Daniel L. Eaton, Henry A. Brewster, Charles H. Bliss, Ezra L. Stevens, Benjamin F. Morris, Daniel Tyler, Llewellyn Deane, and Calvin S. Mattoon, and their associates, are hereby created a body politic and corporate, by the name of “The First Congregational Society of Washington”; and as such, may purchase, hold, and convey real and personal estate, make contracts, sue and be sued, plead and be impleaded, and may exercise all other powers incident to corporations, and usually enjoyed by them, and such as are requisite to enable them to sustain religious worship in Washington, in the District of Columbia, and to erect and maintain edifices for that purpose, and parsonages; and said society shall be exempt from any taxes to be assessed upon their property, under the authority of Congress, or of the District of Columbia, or the city or County of Washington; Provided, That the amount of the value of the real estate shall not exceed one hundred thousand dollars.

SEC. 2. And be it further enacted, That the first meeting of said society shall be held at the time and place at which a majority of the persons hereinabove named shall assemble for that purpose, and six days’ notice shall be given each of said corporators; at which meeting, and at all annual meetings and at all meetings specially called for that object, said
society may enact, amend, or repeal by-laws regulating the government of said society, prescribing the number, character, and duties of their officers, and the manner of their election; defining the terms on which members may be admitted to it, and shall cease to be such; and providing in all things for the management of the affairs of said society, or for securing its interests and welfare.

Sec. 3. And be it further enacted, That the powers of this corporation shall vest in a board of trustees, who shall be chosen as provided by the by-laws, and shall consist of five persons, and shall have perpetual succession, each one holding his office until his successor is chosen and qualified.

Approved, January 31, 1867.

CHAP. XXVI. — An Act to punish certain Crimes in Relation to the Public Securities and Currency, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person or persons shall buy, sell, exchange, transfer, receive or deliver, any false, forged, counterfeited or altered bond, bill, certificate of indebtedness, certificate of deposit, coupon, draft, check, bill of exchange, money order, indorsement, United States note, treasury note, circulating note, postage stamp, revenue stamp, postage-stamp note, fractional note, or other obligation or security of the United States, or circulating note of any banking association organized or acting under the laws of the United States, which has been issued or may hereafter be issued under any act of Congress heretofore passed, or which may hereafter be passed, with the intent, expectation, or belief, that the same shall or will be passed, altered, published or used as true and genuine, such person or persons so offending, shall be deemed guilty of felony, and on conviction thereof shall be imprisoned not more than ten years, or fined not exceeding five thousand dollars, or both, at the discretion of the court.

Sec. 2. And be it further enacted, That it shall not be lawful to design, engrave, print, or in any manner make or execute, or to utter, issue, distribute, circulate or use, any business or professional card, notice, placard, circular, handbill, or advertisement, in the likeness or similitude of any bond, certificate of indebtedness, certificate of deposit, coupon, United States note, treasury note, circulating note, fractional note, postage-stamp note, or other obligation or security of the United States, or of any banking association organized or acting under the laws thereof, which has been or may be issued under or authorized by any act of Congress herebefore passed or which may hereafter be passed. And any person or persons offending against the provisions of this section shall be subject to a penalty of one hundred dollars, to be recovered by an action of debt, one half to the use of the informer.

Sec. 3. And be it further enacted, That it shall not be lawful to write, print, or otherwise impress upon any bond, certificate of indebtedness, or other instrument specified in the last preceding section, any business or professional card, notice or advertisement, or any notice or advertisement of any goods, wares or merchandise, or of any drug or medicine, or of any invention or patent, or of any other matter or thing whatsoever; and any person or persons offending against the provisions of this section, shall be subject to a penalty of one hundred dollars, to be recovered by an action of debt, one half to the use of the informer.

Sec. 4. And be it further enacted, That if any person shall, without authority from the United States, take, procure, make, or cause to be taken, procured or made, upon lead, foil, wax, plaster, paper, or any other substance or material, an impression, stamp, or imprint of, from, or by the use of, any bed-plate, bed-piece, die, roll, plate, seal, type, or other tool,
Penalty

for having in possession, without authority and with intent to defraud, any impression, &c. of any tool, &c. used or intended for printing, &c. any security, currency, &c. to be issued by or for the United States;

for secreting, carrying away, &c. without authority, from any place of deposit, any tool, &c. used or intended for printing, &c. or for making tools, &c. to be used for printing, &c. any security, currency, &c. to be issued by or for the United States;

for taking, &c. without authority, any material prepared and intended to be used in making such stamps or currency, or printed, &c. in whole or in part, and intended for circulation and use, as such currency, &c. ;

for taking without authority from any place of deposit, any paper prepared or intended for use to procure the payment of money from, or allowance of claims against, the United States, whether such implement, instrument or thing, used, or fitted or intended to be used, in printing, stamping or impressing, or in making other tools, implements, instruments or things to be used, or fitted or intended to be used, in printing, stamping or impressing any kind or description of bond, bill, note, certificate, coupon, or other paper, obligation, security or instrument now authorized, or hereafter to be authorized, by law, to be executed, altered, delivered, given, issued or put in circulation by, for, or in behalf of the United States, such person shall be deemed guilty of felony, and, on conviction, be punished by imprisonment not more than ten years, or by fine not exceeding five thousand dollars, or both, at the discretion of the court.

SEC. 5. And be it further enacted, That if any person shall, with intent to defraud, have in his possession, keeping, custody, or control, without authority from the United States, any imprint, stamp or impression, taken or made upon any substance or material whatsoever, of any tool, implement, instrument, or thing used or fitted, or intended to be used, for any or either of the purposes mentioned in the last foregoing section; or if any person shall, with intent to defraud, sell, give, or deliver any such imprint, stamp or impression to any other person; such person, so offending, shall be deemed guilty of felony, and on conviction be punished by imprisonment not more than ten years, or by fine not exceeding five thousand dollars.

SEC. 6. And be it further enacted, That if any person, whether employed under the United States or not, shall, without authority from the United States, secrete within, emboss, or take and carry away from any building, room, office, apartment, vault, safe, or other place where the same is kept, used, employed, placed, lodged, or deposited by authority of the United States, any bed-piece, bed-plate, roll, plate, die, seal, type, or other tool, implement, or thing used, or fitted to be used, in stamping or printing, or in making some other tool or implement used or fitted to be used in stamping or printing, any kind or description of bond, bill, note, certificate, coupon, postage stamp, revenue stamp, fractional currency note, or other paper, instrument, obligation, device, or document, now authorized or hereafter to be authorized by law to be printed, stamped, sealed, prepared, issued, uttered, or put in circulation by or on behalf of the United States; or shall, without such authority, so secrete, emboss, or take and carry away any paper, parchment, or other material prepared and intended to be used in the making of any or either of such papers, instruments, obligations, devices, or documents; or shall, without such authority, so secrete, emboss, or take and carry away any paper, parchment, or other material printed or stamped, in whole or in part, and intended to be prepared, issued, or put in circulation, by or on behalf of the United States, as one of the papers, instruments, or obligations hereinafore named, or printed or stamped, in whole or in part, in the similitude of any such paper, instrument, or obligation, whether it be intended to issue or put the same in circulation or not; such person or persons so offending shall, on conviction, be punished by imprisonment not exceeding ten years, or by fine not exceeding five thousand dollars, or both, at the discretion of the court.

SEC. 7. And be it further enacted, That if any person shall take and carry away, without authority from the United States, from the place where it has been filed, lodged, or deposited, or where it may for the time being actually be kept by authority of the United States, any certificate, affidavit, deposition, written statement of facts, power of attorney, receipt, voucher, assignment, or other document; record, file, or paper, prepared, fitted, or intended to be used or presented in order to procure the payment of money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States, whether the same has or has not already been so used or presented, and whether such claim, account,
or demand, or any part thereof, has or has not already been allowed or paid; or, if any person shall present or use or attempt to use any such document, record, file, or paper, so taken and carried away in order to procure the payment of any money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States; such person, so offending, shall be deemed guilty of felony, and on conviction be imprisoned not more than ten years, or fined not exceeding five thousand dollars, at the discretion of the court.

APPROVED, February 5, 1867.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever in any suit or prosecution which has been or may be commenced in any State court, and which the defendant is authorized to have removed from said court to the circuit court of the United States, under and by virtue of the provisions of "An act relating to habeas corpus, and regulating judicial proceedings in certain cases," approved March third, eighteen hundred and sixty-three, or by virtue of an act amendatory thereof, approved May eleventh, eighteen hundred and sixty-six, and all the acts necessary for the removal of said cause to the circuit court shall have been performed, and the defendant in any suit shall be in actual custody on process issued by said State court, it shall be the duty of the clerk of the said circuit court of the United States to issue a writ of habeas corpus cum causa; and it shall be the duty of the marshal, by virtue of the said writ of habeas corpus, to take the body of the defendant into his custody to be dealt with in said circuit court according to rules of law, and the orders of the said court, or of any judge thereof in vacation; and he shall file a duplicate copy of said writ of habeas corpus with the clerk of the State court in which said suit was commenced, or deliver said duplicate to the clerk of said court; and all attachments made, and all bail and other security given in any suit or prosecution which has or shall be removed from any State court to the circuit court of the United States, in pursuance of law, shall be and continue in like force and effect as if the same suit had proceeded to final judgment and execution in the State court.

APPROVED, February 5, 1867.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several courts of the United States, and the several justices and judges of such courts, within their respective jurisdictions, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases where any person may be restrained of his or her liberty in violation of the constitution, or of any treaty or law of the United States; and it shall be lawful for such person so restrained of his or her liberty to apply to either of said justices or judges for a writ of habeas corpus, which application shall be in writing and verified by affidavit, and shall set forth the facts concerning the detention of the party applying, in whose custody he or she is detained, and by virtue of what claim or authority, if known; and the said justice or judge to whom such application shall be made shall forthwith award a writ of habeas corpus, unless it shall appear from the petition itself that the party is not deprived of his or her liberty in paper has or has not been so used, or such claim has or has not been so allowed. Penalty for using, or attempting to use any such paper.

APPROVED, February 5, 1867.
Writ how to be directed. Return to be made, and within what time.

Upon the return, a day to be set for hearing the case, and within what time the petitioner may on oath deny facts set forth in the return and allege others. Return may be amended, &c. Judge to determine the facts summarily, and discharge the petitioner if, &c. Penalty for refusing to obey the writ, &c.; for not making return, or making a false return.

Appeals. Terms, regulations and orders respecting appeals, &c.

Pending proceedings or appeal, and after final judgment discharging the petitioner, all proceedings in State court to be null.

Writs of error from the Supreme Court of the United States, for what causes may be issued.

contravention of the constitution or laws of the United States. Said writ shall be directed to the person in whose custody the party is detained, who shall make return of said writ and bring the party before the judge who granted the writ, and certify the true cause of the detention of such person within three days thereafter, unless such person be detained beyond the distance of twenty miles; and if beyond the distance of twenty miles and not above one hundred miles, then within ten days; and if beyond the distance of one hundred miles, then within twenty days. And upon the return of the writ of habeas corpus a day shall be set for the hearing of the cause, not exceeding five days thereafter, unless the party petitioning shall request a longer time. The petitioner may deny any of the material facts set forth in the return, or may allege any fact to show that the detention is in contravention of the constitution or laws of the United States, which allegations or denials shall be made on oath. The said return may be amended by leave of the court or judge before or after the same is filed, as also may all suggestions made against it, that thereby the material facts may be ascertained. The said court or judge shall proceed in a summary way to determine the facts of the case, by hearing testimony and the arguments of the parties interested, and if it shall appear that the petitioner is deprived of his or her liberty in contravention of the constitution or laws of the United States, he or she shall forthwith be discharged and set at liberty. And if any person or persons to whom such writ of habeas corpus may be directed shall refuse to obey the same, or shall neglect or refuse to make return, or shall make a false return thereto, in addition to the remedies already given by law, he or they shall be deemed and taken to be guilty of a misdemeanor, and shall, on conviction before any court of competent jurisdiction, be punished by fine not exceeding one thousand dollars, and by imprisonment not exceeding one year, or by either, according to the nature and aggravation of the case. From the final decision of any judge, justice, or court, inferior to the circuit court, an appeal may be taken to the circuit court of the United States for the district in which said cause is heard, and from the judgment of said circuit court to the Supreme Court of the United States, on such terms and under such regulations and orders, as well for the custody and appearance of the person alleged to be restrained of his or her liberty, as for sending up to the appellate tribunal a transcript of the petition, writ of habeas corpus, return thereto, and other proceedings, as may be prescribed by the Supreme Court, or, in default of such, as the judge hearing said cause may prescribe; and pending such proceedings or appeal, and until final judgment be rendered therein, and after final judgment of discharge in the same, any proceeding against such person so alleged to be restrained of his or her liberty in any State court, or by or under the authority of any State, for any matter or thing so heard and determined, or in process of being heard and determined, under and by virtue of such writ of habeas corpus, shall be deemed null and void.

Sec. 2. And be it further enacted, That a final judgment or decree in any suit in the highest court of a State in which a decision in the suit could be had, where is drawn in question the validity of a treaty or statute of, or an authority exercised under, the United States, and the decision is against their validity, or where is drawn in question the validity of a statute of, or an authority exercised under any State, on the ground of their being repugnant to the constitution, treaties, or laws of the United States, and the decision is in favor of such their validity, or where any title, right, privilege, or immunity is claimed under the constitution, or any treaty or statute of, or commission held, or authority exercised under the United States, and the decision is against the title, right, privilege, or immunity specially set up or claimed by either party under such constitution, treaty, statute, commission, or authority, may be re-examined and re-
versed- or affirmed in the Supreme Court of the United States, upon a writ of error, the citation being signed by the chief justice, or judge, or chancellor of the court rendering or passing the judgment or decree complained of, or by a justice of the Supreme Court of the United States, in the same manner, and under the same regulations, and the writ shall have the same effect, as if the judgment or decree complained of had been rendered or passed in a court of the United States; and the proceeding upon the reversal shall also be the same, except that the Supreme Court may, at their discretion, proceed to a final decision of the same, and award execution, or remand the same to an inferior court. This act shall not apply to the case of any person who is or may be held in the custody of the military authorities of the United States, charged with any military offence, or with having aided or abetted rebellion against the government of the United States prior to the passage of this act.

Approved, February 5, 1867.

CHAP XXIX.—An Act to authorize the Extension, Construction, and Use of a lateral Branch of the Baltimore and Potomac Railroad into and within the District of Columbia.

WHEREAS it is represented to this present Congress that the Baltimore and Potomac Railroad Company, incorporated by an act of the General Assembly of Maryland, entitled "An act to incorporate the Baltimore and Potomac Railroad Company," passed the sixth day of May, eighteen hundred and fifty-three, are desirous, under the powers which they claim to be vested in them by the provisions of the before-mentioned act, to construct a lateral branch from the said Baltimore and Potomac Railroad to the District of Columbia: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Baltimore and Potomac Railroad Company, incorporated by the said act of the General Assembly of Maryland, shall be, and they are hereby, authorized to extend into and within the District of Columbia a lateral railroad, such as the said company shall construct or cause to be constructed in a direction towards the said District, in connection with the railroad which they are about to locate and construct from the city of Baltimore to the Potomac river, in pursuance of their said act of incorporation; and the said Baltimore and Potomac Railroad Company are hereby authorized to exercise the same powers, rights, and privileges, and shall be subject to the same restrictions, in the extension and construction of the said lateral railroad into and within the said District, as they may exercise or are subject to under and by intent of their said charter or act of incorporation, in the extension and construction of any railroad within the State of Maryland; and shall be entitled to the same rights, compensation, benefits, and immunities, in the use of the said road, and in regard thereto, as are provided in their said charter, except the right to construct any lateral road or roads within the said District from the said lateral branch or road hereby authorized; it being expressly understood that the said Baltimore and Potomac Railroad Company shall have power only to construct from the said Baltimore and Potomac Railroad one lateral road within the said District to some point or terminus within the city and county of Washington, to be determined in the manner hereinafter mentioned.

SEC. 2. And be it further enacted, That before the Baltimore and Potomac Railroad Company aforesaid shall proceed to construct any railroad which they may lay out or locate on, through, or over any land or improvements, or to use, take for use, any earth, stone, or other materials necessary for the construction of said road, on any land within the said District, they shall first obtain the assent of the owner of such land, improvements, or materials; or if such owner shall be absent from said District, or shall refuse to give such assent on such terms as the said company

Feb. 5, 1867.

Preamble.

The Baltimore and Potomac Railroad Company may extend lateral railroad into the District of Columbia.

Powers, privileges, and restrictions.

Rights and immunities.

One lateral road only to be constructed.

Before locating road upon, or using materials from, lands of another, the assent of the owner to be obtained.

Proceedings where owner is absent or under
disability, or terms cannot be agreed upon. shall approve, or because of infancy, coverture, insanity, or any other cause, shall be legally incapable of giving such assent, then it shall be lawful for the said company to apply to a justice of the peace of the county of Washington, who shall thereupon issue his warrant, under his hand and seal, directed to the marshal of the said District, requiring him to summon a jury of twenty citizens of the said District, none of whom shall be interested or related to any person interested in the land or materials required for the construction of the said railroad, or a stockholder, or related to any stockholder in the said company, to meet on the land, or near to the other property or materials so required, on a day named in such warrant, not less than ten nor more than twenty days after issuing the same, to proceed to value the damages which the owner or owners of any such land or other property will sustain by the use or occupation of the same required by the said company, and the proceedings, duty, and authority of the said marshal in regard to such warrant and jury, and the oath or affirmation to be administered, and inquisition to be made and returned, shall be the same as are directed and authorized in regard to the sheriff by the thirteenth section of the said act of the General Assembly of the State of Maryland, incorporating the said Baltimore and Potomac Railroad Company; and all the other proceedings in regard to such jury, and the estimating and valuation of damages, and the payment or tender of payment of any damages ascertained by such valuation and effect thereof, and of the view of any lands, or other property, or materials, as to giving the said company a right to use the same for the use or construction of any railroad within the said District, as hereby authorized, shall in every case and in every respect be the same as is provided in and by the above-mentioned act of corporation, in regard to the railroad thereby authorized to be constructed by the said company: Provided, That whenever, by the said act, the inquisition of the jury is required to be returned to the clerk of the circuit court, to be confirmed by the said court at its next session, if not sufficient cause to the contrary be shown, the inquisitions under this act shall be returned by the marshal to the supreme court of the District of Columbia, which court shall have the same jurisdiction and powers over the subject-matter as the said circuit court have under the act aforesaid.

SEC. 3. And be it further enacted, That whenever the said company, in the construction of a railroad into or within the said District, as authorized by this act, shall find it necessary to cross or intersect any established road, street, or other way, it shall be the duty of the said company so to construct the said railroad across such established road, street, or other way, as not to impede the passage or transportation of persons or property along the same; and where it shall be necessary to pass the said railroad through the land of any individuals within the said District, it shall be the duty of the said company to provide for such individuals proper wagon ways across the said railroad, from one part of his [their] land to another; but nothing herein contained shall be so construed as to authorize the entry by said company upon any lot or square, or upon any part of any lot or square owned by the United States within the limits of the city of Washington, for the purposes of locating or constructing the said road, or of excavating the same, or for the purpose of taking therefrom any material, or for any other purpose or uses whatsoever; but the said company, in passing into the District aforesaid, and constructing the said road within the same, shall enter the city of Washington at such place, and shall pass along such public street or alley, to such point or terminus within the said city as may be allowed by Congress upon presentation of survey and map of proposed location of said road: Provided, That the level of said road within the said city shall conform to the present graduation of the streets, unless Congress shall authorize a different level.

SEC. 4. And be it further enacted, That the rate actually charged and
received on all that part of said road within the District shall not exceed eight cents per ton per mile for both tolls and transportation, and shall be the same each way: And provided also, That the privileges granted by this act to the aforesaid railroad company shall be upon the condition that the said company shall charge the same rate of toll upon the same articles going either way between Baltimore and Washington.

Sec. 5. And be it further enacted, That the said company are also hereby empowered to make such special contract with any duly authorized officer or agent of the United States, for the conveyance of the mail, or the transportation of persons or property for the use of the United States, on any railroad which has been or shall be constructed by the said Baltimore and Potomac Railroad Company, on such terms as shall be approved of by the competent officer or authority, and in all such instances to receive the compensation so agreed for, according to the terms of each contract.

Sec. 6. And be it further enacted, That the said railroad company may charge and receive for taking up and setting down any passenger or traveller, within the District, conveyed a shorter distance than four miles, a sum not exceeding twelve cents.

Sec. 7. And be it further enacted, That unless the said company shall commence the said lateral road within two years, and complete the same with at least one set of tracks, within four years from the passage of this act, then this act, and all rights and privileges thereby granted, shall cease and determine.

Sec. 8. And be it further enacted, That nothing herein contained shall be so construed as to prevent the Congress of the United States from granting the same or similar privileges to those hereby granted, to any other company or companies incorporated or to be incorporated by the State of Maryland, or by Congress, or from authorizing, by any future law, such additional railroads or roads, in connection with the said road, so as to extend the same road, or to construct others connected therewith, to such parts of the District as from time to time may be required by the convenience of those parts of the District into which the said company are now restrained from carrying said road, or from enacting such rules and regulations, prescribing the speed of cars or carriages passing over said road, and any other matters relating thereto, necessary for the security of the persons and property of the inhabitants of the District, in such manner as to the present or any future Congress shall seem expedient: And provided, nevertheless, That nothing herein contained shall be construed to give any rights or privileges to the said company beyond the limits of the District of Columbia. And provided further, That Congress shall have power to alter, amend, or repeal this act.

Approved, February 5, 1867.

CHAP. XXX.—An Act exempting certain Property of Debtors in the District of Columbia from Levy, Attachment, or Sale on Execution.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following property, being the property of the head of a family or householder, shall be exempt from distraint, attachment, levy, and sale on execution or decree of any court in the District of Columbia: Provided, however, That this exemption shall not interfere with the foreclosure of any mortgage or deed of trust executed before the passage of this act, to wit:

All wearing apparel belonging to all persons, and to all heads of families, being householders; all beds, bedding, household furniture, stoves, cooking utensils, and so forth, not exceeding three hundred dollars in value; provisions for three months' support, whether provided or growing; fuel for three months; mechanics' tools and implements of the debtor's trade

APPROVED, February 5, 1867.
or business amounting to two hundred dollars in value, with two hundred dollars' worth of stock for carrying on the business of the debtor or his family; the library and implements of a professional man or artist, to the value of three hundred dollars; one horse, mule, or yoke of oxen; one cart, wagon, or dray, and harness for such team; farming utensils, with food for such team for three months, and if the debtor be a farmer, any other farming tools of the value of one hundred dollars; all family pictures, and all the family library, not exceeding in value four hundred dollars; one cow, one swine, six sheep. And no deed of trust, bill of sale, or mortgage upon any of said exempted articles, shall be binding or valid unless signed by the wife of the debtor, if he be married and living with his wife; and these exemptions shall be valid when the said property is in transitu, the same as if the property were at rest: Provided, however, That no property named and exempted in this act, shall be exempted from attachment or execution for any debt due for the wages of servants, common laborers, or clerks, except the wearing apparel, beds and bedding, and household furniture and provision, for the debtor and family.

Approved, February 5, 1867.

CHAP. XXXI — An Act to punish illegal Voting in the District of Columbia, 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 not duly qualified to vote in the District of Columbia, who, knowing that he is not so qualified, shall vote or offer to vote therein, or who shall procure or attempt to procure himself to be registered therein as a voter, shall be punished by imprisonment not exceeding six months, and not less than two months.

SEC. 2. And be it further enacted, That if any person, being a qualified voter in said District, shall knowingly vote or attempt to vote in any other ward or election precinct than that in which he shall be lawfully entitled to vote, or shall unlawfully and knowingly vote or attempt to vote more than once, or in more than one ward or election precinct, or shall so vote double therein, he shall be punished by imprisonment not exceeding six months and not less than two months, and shall be disqualified from voting thereafter in said District.

SEC. 3. And be it further enacted, That there shall be five judges of elections in Washington and Georgetown; their number, appointment, term of office, &c.

Sessions, for correcting the lists.

Voting lists to be posted in public places at least ten days before election.

Repealing clause.

APPROVED, February 5, 1867.
THIRTY--NINTH CONGRESS. Sess. II. Ch. 32, 34, 36. 1867.

CHAP. XXXII. — An Act to provide for the Payment of Pensions.

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 shall be, and he is hereby, authorized to establish agencies for the payment of pensions granted by the United States, wherever, in his judgment, the public interests and the convenience of the pensioners require, and, by and with the advice and consent of the Senate, to appoint all pension agents, who shall hold their offices for the term of four years and until their successors shall have been appointed and qualified, and who shall give bond, with good and sufficient sureties, for such amount and in such form as the Secretary of the Interior may approve: Provided, That the number of pension agencies in any State or Territory shall, in no case, be increased hereafter so as to exceed three, and that no such agency shall be established in addition to those now existing in any State or Territory in which the whole amount of pensions paid during the fiscal year next preceding shall not have exceeded the sum of five hundred thousand dollars: And provided further, That the term of office of all pension agents appointed since the first day of July, A. D. eighteen hundred and sixty-six, shall expire at the end of thirty days from the passage of this act; and the commissions of all other pension agents now in office shall continue for four years from the passage of this act, unless such agents are sooner removed.

APPROVED, February 5, 1867.

CHAP. XXXIV.—An Act authorizing the Secretary of the Treasury to receive into the Treasury the residuary Legacy of James Smithson, to authorize the Regents of the Smithsonian Institution to apply the Income of the said Legacy, and for other Purposes.

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 receive into the Treasury, on the same terms as the original bequest, the residuary legacy of James Smithson, now in United States bonds, in the hands of said Secretary, namely: twenty-six thousand two hundred and ten dollars and sixty-three cents, together with such other sums as the regents may desire to deposit, not exceeding, with the original bequest, the sum of one million dollars.

SEC. 2. And be it further enacted, That the increase which has accrued, or which may hereafter accrue, from said residuary legacy, shall be applied by the Board of Regents of the Smithsonian Institution in the same manner as the interest on the original bequest, in accordance with the provisions of the act of August tenth, eighteen hundred and forty-six, establishing said Institution.

APPROVED, February 8, 1867.

CHAP. XXXVI. — An Act for the Admission of the State of Nebraska into the Union.

WHEREAS, on the twenty-first [nineteenth] day of March, [April,] anno Domini eighteen hundred and sixty-four, Congress passed an act to enable the people of Nebraska to form a constitution and State government, and offered to admit said State, when so formed, into the Union, upon compliance with certain conditions therein specified; and whereas it appears that the said people have adopted a constitution which, upon due examination, is found to conform to the provisions and comply with the conditions of said act, and to be republican in its form of government, and that they now ask for admission into the Union: Therefore —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the constitution and State government which the people of Nebraska have formed for themselves be, Nebraska declared to be one
The State to be entitled to the privileges and subject to the conditions of the enabling act, 1864, ch. 69. Vol. xiii. p. 47.

Fundamental conditions of this act.
Elective franchise not to be denied, &c.

Assent of State to be declared by solemn act and copy transmitted to the President, who shall proclaim the fact.

Admission then to be complete.

State legislature to be convened within thirty days.

and the same is hereby, accepted, ratified, and confirmed, and that the said State of Nebraska shall be, and is hereby declared to be, one of the United States of America, and is hereby admitted into the Union upon an equal footing with the original States in all respects whatsoever.

SEC. 2. And be it further enacted, That the said State of Nebraska shall be, and is hereby declared to be, entitled to all the rights, privileges, grants, and immunities, and to be subject to all the conditions and restrictions, of an act entitled "An act to enable the people of Nebraska to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," approved April nineteenth, eighteen hundred and sixty-four.

SEC. 3. And be it further enacted, That this act shall not take effect except upon the fundamental condition that within the State of Nebraska there shall be no denial of the elective franchise, or of any other right, to any person, by reason of race or color, excepting Indians not taxed; and upon the further fundamental condition that the legislature of said State, by a solemn public act, shall declare the assent of said State to the said fundamental condition, and shall transmit to the President of the United States an authentic copy of said act; upon receipt whereof the President, by proclamation, shall forthwith announce the fact, whereupon said fundamental condition shall be held as a part of the organic law of the State; and thereupon, and without any further proceeding on the part of Congress, the admission of said State into the Union, shall be considered as complete. Said State legislature shall be convened by the territorial governor within thirty days after the passage of this act, to act upon the condition submitted herein.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,
President of the Senate pro tempore.

IN SENATE OF THE UNITED STATES, February 8, 1867.

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act for the admission of the State of Nebraska into the Union," with his objections thereto, the Senate proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

J. W. FORNEY,
Secretary of the Senate,
by W. J. MCDONALD,
Chief Clerk.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, February 9, 1867.

The House of Representatives having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act for the admission of the State of Nebraska into the Union," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representatives, with the message of the President returning the bill —

Resolved, That the bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWD. MCPHERSON,
Clerk.
CHAP. XXXVII. — An Act making Appropriations to supply Deficiencies in the Appropriations for Contingent Expenses of the House of Representatives of the United States for the fiscal Year ending June thirtieth, eighteen hundred and sixty-seven.

Feb. 12, 1867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated out of any money in the treasury not otherwise appropriated:

For miscellaneous items, forty thousand dollars.
For folding documents, twenty-seven thousand five hundred dollars.
For fuel and lights, including pay of engineers, firemen, and laborers, repairs and materials, seven thousand dollars.

APPROVED, February 12, 1867.

CHAP XXXVIII. — An Act to fix the Pay of the Quartermaster-Sergeant of the Battalion of Engineers.

Feb. 12, 1867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, the pay and allowances of the quartermaster-sergeant of the battalion of engineers of the army of the United States shall be the same as those allowed by law to the sergeant-major of that battalion.

APPROVED, February 12, 1867.

CHAP XLI. — An Act making Appropriations for the Service of the Post-Office Department during the fiscal Year ending June thirtieth, eighteen hundred and sixty-eight, and for other Purposes.

Feb. 18, 1867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the service of the Post-Office Department for the year ending June thirtieth, eighteen hundred and sixty-eight, out of any moneys in the treasury arising from the revenues of said department, in conformity to the act of the second of July, eighteen hundred and thirty-six.

For transportation of the mails (inland), eight million six hundred thousand dollars.
For transportation of the mails (foreign), six hundred and twenty thousand dollars.
For ship, steamboat, and way letters, eight thousand dollars.
For compensation to postmasters, four million two hundred and fifty thousand dollars.
For clerks for post-offices, two million dollars.
For payment to letter-carriers, six hundred and forty thousand dollars.
For wrapping paper, eighty thousand dollars.
For twine, twenty thousand dollars.
For letter balances, four thousand dollars.
For compensation to blank agents and assistants, eight thousand dollars.
For office furniture, three thousand dollars.
For advertising, eighty thousand dollars.
For postage stamps and stamped envelopes, two hundred and seventy-five thousand dollars.
For mail depredations and special agents, and expenses of negotiating postal conventions, one hundred and five thousand dollars.
For mail bags and mail-bag catchers, one hundred thousand dollars.
For mail locks, keys, and stamps, thirty thousand dollars.
For payment of balances due to foreign countries, three hundred and sixty thousand dollars.
For miscellaneous payments, four hundred thousand dollars.

APPROVED.
Further appropriation for the Post-Office Department.

Service between the United States and Brazil; San Francisco, Japan, and China.

Steamships need not touch at Honolulu.

1865, ch. 37, Vol. XII, p. 430.

SEC. 2. And be it further enacted, That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the year ending June thirtieth, eighteen hundred and sixty-eight, out of any money in the treasury not otherwise appropriated:

For the mail steamship service between the United States and Brazil, one hundred and fifty thousand dollars.

For the mail steamship service between San Francisco, Japan, and China, five hundred thousand dollars: Provided, That so much of the act of Congress, approved February seventeenth, eighteen hundred and sixty-five, authorizing said service, as requires the said steamships to touch at Honolulu, in the Sandwich Islands, shall be, and the same is hereby, repealed; upon the express condition, however, that the contractors for said steamship service shall enter into contract to the satisfaction of the Postmaster-General, agreeing to establish, within five months from the passage of this act, in lieu of said service released, a branch line of steamship service, carrying the United States mails, between the port in Japan used by the main line of steamships and the port of Shanghai in China, making continuous regular trips, connecting with the main line, both on the outward and homeward voyages, under the direction of the Postmaster-General; which service shall be performed by first-class American seagoing steamships, and without additional charge to the United States.

For the overland mail transportation between the Missouri River and Folsom, and for marine mail transportation between New York and California, nine hundred thousand dollars.

SEC. 3. And be it further enacted, That the Secretary of the Treasury is hereby authorized to transfer two clerks from the third class to class four in the office of the auditor of the treasury for the Post-Office Department, and a sum sufficient to pay the increased compensation required by said transfer, for the remainder of the current year, and the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, is hereby appropriated out of any money in the treasury not otherwise appropriated.

APPROVED, February 18, 1867.
THIRTY-NINTH CONGRESS. Sess. II. Ch. 43, 44, 45. 1867.

CHAP. XLIII — An Act amendatory of the several Acts respecting Copyrights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every proprietor of a book, pamphlet, map, chart, musical composition, print, engraving, or photograph, for which a copyright shall have been secured, who shall fail to deliver to the library of Congress at Washington, a printed copy of every such book, pamphlet, map, chart, musical composition, print, engraving, or photograph, within one month after publication thereof, shall, for every such default, be subject to a penalty of twenty-five dollars, to be collected, by the librarian of Congress, in the name of the United States, in any district or circuit court of the United States within the jurisdiction of which the delinquent may reside or be found.

SEC. 2. And be it further enacted, That every such proprietor may transmit any book, pamphlet, map, chart, musical composition, print, engraving, or photograph, for which he may have secured a copyright, to the librarian of Congress, by mail free of postage, provided the words "copyright matter" be plainly written or printed on the outside of the package containing the same; and it shall be the duty of the several postmasters and deputy postmasters, to give a receipt for the same, if requested, and when such package shall be delivered to them, or any of them, to see that the same is safely forwarded to its destination by mail, without cost or charge to said proprietor.

Approved, February 18, 1867.

CHAP. XLIV. — An Act to authorize the Payment of Prize Money to certain Officers and enlisted Men of the Signal Corps of the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized and directed to pay to the officers and enlisted men of the signal corps of the army, who were assigned to and performed duty on the fleet under command of Admiral D. G. Farragut, while the said fleet was engaged in the action in Mobile Bay, on the fifth day of August, anno Domini eighteen hundred and sixty-four, from any money not otherwise appropriated, such sum or sums as prize money, to each of them, respectively, as will be equal to what has been allowed in distribution to officers or sailors of the navy of corresponding rank, the same as if their names had been, in any case, borne on the ship's books.

Approved, February 18, 1867.

CHAP. XLV. — An Act to authorize the Purchase of certain Lots of Ground adjoining the Allegheny Arsenal, at Pittsburg, Pennsylvania.

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 empowered to accept the offer of the St. Francisx Hospital Society to sell to the United States certain lots of ground situate in the borough of Lawrenceville, Pennsylvania, numbered one, two, three, and four, containing about nine thousand six hundred square feet, and upon which is a spring supplying said arsenal with water; and that the sum of three thousand eight hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to pay for said lots upon their conveyance to the United States, by good and sufficient title in fee simple.

Approved, February 18, 1867.
CHAP. XLVI.—An Act to authorize the Secretary of the Navy to accept League Island, in the Delaware River, for naval Purposes, and to dispense with and dispose of the Site of the existing Yard at Philadelphia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy, be, and is hereby, authorized to receive and accept from the city authorities of the city of Philadelphia, the title to League Island, in the Delaware river, and adjacent marsh land, including the whole of the creek known as the Back channel, from the Schuylkill to the Delaware river, and all the riparian rights and privileges of said League Island, adjacent marsh, and Back channel, together with so much of the opposite shore of the Back channel from the League Island shore as shall, in the opinion of the Secretary of the Navy, be ample to enable the government to have the sole and exclusive use of said Back channel and both shores thereof; the said island and appurtenances to be held for naval purposes by the government of the United States: Provided, That the said League Island, marsh adjacent, and Back channel, with its shores as aforesaid, shall not be received or accepted until the title to the whole of the same, as herein described, is complete and indefeasible, nor unless the acceptance thereof shall be recommended by a board of officers to be appointed by the President: Provided further, That if League Island be selected, the navy yard at Philadelphia shall be dispensed with and disposed of by the United States as soon as the public convenience will admit.

APPROVED, February 18, 1867.

CHAP. XLVII.—An Act to authorize the Trustees of the Foundry (Methodist Episcopal) Church to sell and convey Square Number two hundred and thirty-five in the City of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Presley Simpson, James W. Barker, Edward Owen, David A. Gardner, Nathaniel Mullkin, William J. Sibley, Daniel D. T. Leech, Edward F. Simpson, and Richard T. Morsell, trustees of the Foundry (Methodist Episcopal) Church, in the city of Washington, in the District of Columbia, and their successors in office, be, and they are hereby, authorized and empowered to sell and convey a certain square of ground in said city, known and distinguished on the ground plan thereof as square numbered two hundred and thirty-five, in that city, free of any trust, &c.

The trustees of the Foundry Church, in Washington, D. C. may sell and convey square numbered two hundred and thirty-five in that city, free of any trust, &c.

The dead interred in that ground to be removed and placed in some public cemetery, &c.
CHAPTER XLVIII — An Act concerning the Fire Department of Washington City.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right to have, use, and occupy all the several buildings, with their appurtenances, known as the Union, Franklin, Columbia, and Anacostia Engine-houses, be, and is hereby, granted to the city of Washington, in the District of Columbia, said possession and occupation to continue so long as used for the purposes of the fire department and the pleasure of the Congress of the United States: Provided, That said use and occupancy of the Columbia Engine-house shall not in any way interfere with the possession and occupancy by the Columbia Fire Company of the rooms now used as library rooms in said building.

Approved, February 18, 1867.

CHAPTER LVI — An Act to regulate the Duties of the Clerk of the House of Representatives in preparing for the Organization of the House, and for other Purposes.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That before the first meeting of the next Congress, and of every subsequent Congress, the clerk of the next preceding House of Representatives shall make a roll of the representatives elect, and place thereon the names of all persons claiming seats as representatives elect from States which were represented in the next preceding Congress, and of such persons only, and whose credentials show that they were regularly elected in accordance with the laws of their States respectively, or the laws of the United States.

SEC. 2. And be it further enacted, That in case of a vacancy in the office of clerk of the House of Representatives, or of absence or inability of said clerk to discharge the duties imposed on him by law or custom relative to the preparation of the roll of representatives or the organization of the House, the said duties shall devolve on the sergeant-at-arms of the next preceding House of Representatives; and in case of vacancies in both of the before-mentioned offices, or of the absence or inability of both the clerk and sergeant-at-arms to act, then the said duties shall be performed by the door-keeper of the next preceding House of Representatives.

Schuyler Colfax,
Speaker of the House of Representatives.

La Fayette S. Foster,
President of the Senate pro tempore.

Endorsed by the President: "Received 9th of February, 1867."

[Note by the Department of State.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAPTER LVII — An Act to declare the Sense of an Act entitled "An Act to restrict the Jurisdiction of the Court of Claims, and to provide for the Payment of certain Demands for Quartermasters' Stores and Subsistence Supplies furnished to the Army of the United States."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of chapter two hundred and forty of the acts of the Thirty-eighth Congress, first session, approved July fourth, eighteen hundred and sixty-four, shall not be construed to authorize the settlement of any claim for supplies or stores taken or furnished for the use of, or used by, the armies of the United States, nor for the occupation of, or injury to, real estate, nor for the consumption, appropriation, or destruction of, or damage to, personal

Claims for supplies, &c. taken or used by the Union troops, or for injuries caused by them in a State, &c. declared to be insurrection, or
property, by the military authorities or troops of the United States, where such claim originated during the war for the suppression of the southern rebellion, in a State, or part of a State, declared in insurrection by the proclamation of the President of the United States, dated July first, eighteen hundred and sixty-two, or in a State which by an ordinance of secession attempted to withdraw from the United States government: Provided, That nothing herein contained shall repeal or modify the effect of any act or joint resolution, extending the provisions of the said act of July fourth, eighteen hundred and sixty-four, to the loyal citizens of the State of Tennessee, or of the State of West Virginia, or any county therein.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,
President of the Senate pro tempore.

Endorsed by the President: “Received February 9th, 1867.”

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval]

Feb. 22, 1867.

CHAP. LVIII.—An Act making Appropriations for the Payment of Invalid and other Pensions of the United States for the Year ending June thirtieth, eighteen hundred and sixty-eight.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, eighteen hundred and sixty-eight:

For invalid pensions under various acts, ten million dollars.

For pensions of widows, children, mothers, fathers, brothers, and sisters of soldiers, as provided for by acts of March eighteen, eighteen hundred and eighteen; May fifteenth, eighteen hundred and twenty-eight; June seventh, eighteen hundred and thirty-six; July seventh, eighteen hundred and thirty-eight; March third, eighteen hundred and forty-three; June seventh, eighteen hundred and forty-four; February second, July twenty-first, and July twenty-ninth, eighteen hundred and fifty-three; June third, eighteen hundred and fifty-eight; and July fourteenth, eighteen hundred and sixty-two, with its supplementary acts, to be paid from the navy pension fund.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LIX.—An Act providing for the Election of a Congressional Printer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Senate shall elect some competent person, who shall be a practical printer, to take charge of and manage the government printing office.

SEC. 2. And be it further enacted, That the person so elected shall be deemed an officer of the Senate, and shall be designated “congressional printer.” He shall superintend the printing and binding of the journals and such other documents as shall be ordered by each house of Congress,
and shall superintend the execution of all the printing and binding for the
respective departments of the government now required by law to be
executed at the government printing office, and shall, in all respects, be
governed by the laws in force in relation to the superintendent of public
printing and the execution of the printing and binding.

SEC. 3. And be it further enacted, That, from and after the passage of
this act and the election of a congressional printer in pursuance thereof,
the office of superintendent of public printing shall be abolished, and
the salary of the said officer shall be at the rate of four thousand dollars
a year.

SEC. 4. And be it further enacted, That this act shall take effect from
and after its passage, and all laws inconsistent with its provisions are here-
by repealed.

APPROVED, February 22, 1867.

CHAP LX. — An Act to alter the Places of holding the Circuit Courts of the United
States for the Rhode Island District.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That from and after the first
day of July one thousand eight hundred and sixty-seven, the circuit courts
of the United States for the district of Rhode Island shall commence and
be held at the United States court-room in the city of Providence, on the
fifteenth day of November, and on the fifteenth day of June, annually,
instead of the places heretofore established by law: Provided, That when
either of the days last named shall fall on Sunday, the session of said
court then next to be held shall commence on the Monday next following.

SEC. 2. And be it further enacted, That all indictments, informations,
suits, or actions, and proceedings of every kind, whether of a civil or
criminal nature, pending in the said circuit court on the first day of July,
anno Domini eighteen hundred and sixty-seven, shall thereafter have day
in court, and be proceeded in, heard, tried, and determined, on the days and
at the place herein appointed for holding the said court, in the same man-
ner, and with the same effect as if the said court had been holden on the
days and at the places heretofore directed by law.

SEC. 3. And be it further enacted, That all writs, suits, actions, or re-
cognizances, or other proceedings, which are or shall be instituted, served,
commenced, or taken to the said court to have been holden as heretofore,
directed by law, shall be returnable to, entered in, heard, tried, and have
day in court, in said court, to be holden at the times and place by this act
directed, in the same manner as might and ought to have been done had
the said court been holden at the times and places heretofore directed by
law.

APPROVED, February 22, 1867.

CHAP. LXI — An Act to establish and to protect National Cemeteries.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That in the arrangement of the
national cemeteries established for the burial of deceased soldiers and
sailors, the Secretary of War is hereby directed to have the same enclosed
with a good and substantial stone or iron fence; and to cause each grave
to be marked with a small headstone, or block, with the number of the grave
inscribed thereon, corresponding with the number opposite to the
name of the party, in a register of burials to be kept at each cemetery,
and at the office of the quartermaster-general, which shall set forth the
name, rank, company, regiment, and date of death of the officer or soldier;
or, if unknown, it shall be so recorded.

SEC. 2. And be it further enacted, That the Secretary of War is here-
Porter's lodge to be erected at the principal entrance of each cemetery.

Superintendent, how selected, pay, &c.

An officer to be detailed to inspect annually all the cemeteries, and make reports.

Reports to be submitted to Congress, with estimates.

Penalty for wilfully defacing, removing, &c. any structure, or injuring &c. in any shrub, &c. in any national cemetery.

When to be prosecuted for.

The Secretary of War may purchase or take any real estate necessary for national cemeteries.

Proceedings where real estate is entered upon and appropriated.

Fee simple of such estate, upon payment, &c. of appraised.

by directed to cause to be erected at the principal entrance of each of the national cemeteries aforesaid, a suitable building to be occupied as a porter's lodge; and it shall be his duty to appoint a meritorious and trustworthy superintendent who shall be selected from enlisted men of the army, disabled in service, and who shall have the pay and allowances of an ordnance sergeant, to reside therein, for the purpose of guarding and protecting the cemetery and giving information to parties visiting the same. The Secretary of War shall detail some officer of the army, not under the rank of major, to visit annually all of said cemeteries, and to inspect and report to him the condition of the same, and the amount of money necessary to protect them, to sod the graves, gravel and grade the walks and avenues, and to keep the grounds in complete order; and the said Secretary shall transmit the said report to Congress at the commencement of each session, together with an estimate of the appropriation necessary for that purpose.

Sec. 3. And be it further enacted, That any person who shall wilfully destroy, mutilate, deface, injure, or remove any monument, gravestone, or other structure, or shall wilfully destroy, cut, break, injure, or remove any tree, shrub, or plant within the limits of any of said national cemeteries, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any district or circuit court of the United States within any State or district where any of said national cemeteries are situated, shall be liable to a fine of not less than twenty-five nor more than one hundred dollars, or to imprisonment of not less than fifteen nor more than sixty days, according to the nature and aggravation of the offence. And the superintendent in charge of any national cemetery is hereby authorized to arrest forthwith any person engaged in committing any misdemeanor herein prohibited, and to bring such person before any United States commissioner or judge of any district or circuit court of the United States within any State or district where any of said cemeteries are situated, for the purpose of holding said person to answer for said misdemeanor, and then and there shall make complaint in due form.

Sec. 4. And be it further enacted, That it shall be the duty of the Secretary of War to purchase from the owner or owners thereof, at such price as may be mutually agreed upon between the Secretary and such owner or owners, such real estate as in his judgment is suitable and necessary for the purpose of carrying into effect the provisions of this act, and to obtain from said owner or owners title in fee simple for the same.

And in case the Secretary of War shall not be able to agree with said owner or owners upon the price to be paid for any real estate needed for the purpose of this act, or to obtain from said owner or owners title in fee simple for the same, the Secretary of War is hereby authorized to enter upon and appropriate any real estate, which, in his judgment, is suitable and necessary for the purpose of this act.

Sec. 5. And be it further enacted, That the Secretary of War or the owner or owners of any real estate thus entered upon and appropriated are hereby authorized to make application for an appraisement of said real estate thus entered upon and appropriated to any district or circuit court within any State or district where such real estate is situated; and any of said courts is hereby authorized and required upon such application, and in such mode and under such rules and regulations as it may adopt, to make a just and equitable appraisement of the cash value of the several interests of each and every owner of the real estate and improvements thereon entered upon and appropriated for the purposes of this act, and in accordance with its provisions.

Sec. 6. And be it further enacted, That the fee simple of all real estate thus entered upon and appropriated for the purposes of this act, and of which appraisement shall have been made under the order and direction of any of said courts, shall, upon payment to the owner or owners, respec-
tively, of the appraised value; or in case said owner or owners refuse or neglect for thirty days after the appraiserement of the cash value of the said real estate or improvements by any of said courts to demand the same from the Secretary of War, upon depositing the said appraised value in the said court, making such appraiserement to the credit of said owner or owners, respectively, be vested in the United States, and its jurisdiction over said real estate shall be exclusive and the same as its jurisdiction over real estate purchased, ceded, or appropriated for the purposes of navy yards, forts, and arsenals. And the Secretary of War is hereby authorized and required to pay to the several owner or owners, respectively, the appraised value of the several pieces or parcels of real estate, as specified in the appraiserement of any of said courts, or to pay into any of said courts by deposit, as hereinbefore provided, the said appraised value; and the sum necessary for such purpose may be taken from any moneys appropriated for the purposes of this act.

SEC. 7. And be it further enacted, That the sum of seven hundred and fifty thousand dollars is hereby appropriated to carry out the purposes of this act out of any moneys in the treasury not otherwise appropriated.

APPROVED, February 22, 1867.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the board of trustees of the National Soldiers' and Sailors' Orphan Home shall hereafter consist of seven persons, a majority of whom shall constitute a quorum to do business; and D. K. Carter, Henry D. Cooke, Amos B. Eaton, J. W. Alvord, Horatio Bridge, Byron Sunderland, and Franklin A. Dick are hereby declared to be the trustees of said corporation, and they and their successors shall have the entire control and management of all property, moneys, and other securities now held or used for the benefit of said corporation, or which shall hereafter belong to it; and the said board of trustees shall have power to fill any vacancies occurring by death, resignation, or otherwise.

SEC. 2. And be it further enacted, That immediately upon their organization the trustees shall elect a board of lady managers, consisting of thirteen persons, who shall have power to superintend and manage the internal affairs of the asylum, and to fill vacancies in their own board, to make their own by-laws, rules, and regulations, to hold their offices till the second Wednesday in January, eighteen hundred and sixty-eight; their successors to be elected annually by the board of managers in the manner which their by-laws shall prescribe.

SEC. 3. And be it further enacted, That the surviving parent or legal guardian of any child placed under charge of said corporation may withdraw such child therefrom, and any minor over sixteen years of age, upon his or her request in writing, shall be discharged therefrom, at the discretion of the managers.

SEC. 4. And be it further enacted, That so much of the act to which this is amendatory as is inconsistent with this act be, and the same is hereby, repealed.

APPROVED, February 22, 1867.

CHAP. LXIII. — An Act to regulate Proceedings before Justices of the Peace in the District of Columbia, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That justices of the peace in the District of Columbia shall have jurisdiction in all cases where the
of the peace in the District of Columbia.

Rules of practice, forms of pleadings and trials.
Bill of fees and costs for such justices and for constables.
Execution not to be stayed in certain cases,
when to issue in such cases,
and for how long, upon security given for debt, costs, &c.

Justice may issue writs returnable before themselves.
Cause may be removed to nearest justice on affidavit, &c.

Persons not to be fined, &c. for disorderly conduct, unless, &c.
Officers punishable for wanton severity in making arrests.
Defendants to have time to make defence.
Bail

Non-residents not to commence suits without giving security for costs.
Persons arrested on a warrant for assault, &c. to be taken before the justice, and may plead guilty, and pay fine and costs.

Execution may issue for fine and costs.

amount claimed to be due for debt or damages arising out of contracts, express or implied, or damages for wrongs or injuries to persons or property, does not exceed one hundred dollars, except in cases involving the title to real estate, actions to recover damages for assault, or assault and battery, or for malicious prosecution, or actions against justices of the peace or other officers for misconduct in office, or in actions for slander, verbal or written.

SEC. 2. And be it further enacted, That the supreme court of said District shall make and establish rules of practice, and prepare and publish forms of pleadings for bringing all forms of actions, and the trial thereof before said justices of the peace, and shall fix and determine a bill of fees and costs to be taxed and charged by the said justices, and by the constables of said District of Columbia, in all civil suits in said District.

SEC. 3. And be it further enacted, That there shall be no stay of execution on any judgment obtained before any justice of the peace for the wages of any servant or common laborer, or upon any judgment for less than five dollars; but execution may issue for the collection thereof immediately, and judgments shall be entered within two days after the trial of the action. But on all judgments or fines, except as aforesaid, stay of execution shall be entered as follows: for the sum of five dollars and not exceeding twenty dollars, one month; for all sums over twenty dollars and not exceeding forty dollars, two months; for all sums over forty dollars and not exceeding seventy-five dollars, four months; for all sums exceeding seventy-five dollars, six months; Provided, good and sufficient security be entered by a person or persons who may be at the time the owner of sufficient property located in said district, above all liabilities and exemptions, to secure said debt, costs, and interest.

SEC. 4. And be it further enacted, That all justices of the peace may issue original writs, civil and criminal, returnable before themselves; but any party, or agent, or attorney thereof may have the cause removed to the nearest justice upon filing an affidavit with said justice on the return day or day of trial of said action, that he or she does not believe said justice will give him or her a fair and impartial trial on account of prejudice or other reasonable cause.

SEC. 5. And be it further enacted, That no person in said District shall be fined or imprisoned for disorderly conduct, unless such person was personally and individually guilty of acts disorderly in themselves; and any officer in said District who uses unnecessary and wanton severity in arresting or imprisoning any person shall be deemed guilty of assault and battery, and upon conviction thereof punished therefor.

SEC. 6. And be it further enacted, That in all criminal cases or offences charged, the justice having jurisdiction thereof shall allow the defendant reasonable time to prepare for defence or obtain bail, and no exorbitant bail shall in any case be required.

SEC. 7. And be it further enacted, That non-residents of said District shall not commence suit before any justice of the peace therein, without first giving sufficient security for costs.

SEC. 8. And be it further enacted, That when any person or persons shall be arrested on a warrant for committing an assault, or an assault and battery, or an affray, issued on the complaint of the party injured by any justice of the peace of said District, or in case of an affray, on the complaint of any person who shall have seen the same, every such person or persons shall be taken before the justice who issued the warrant, or if he be absent or otherwise incapable of acting, then before the nearest other justice in said district, and he or they shall be admitted to plead guilty of the charge preferred, and the said justice before whom such plea may be pleaded shall have power, and he is hereby authorized, to assess such fine or penalty as is authorized by law, and enter judgment therefor against the person so pleading guilty and for cost, and issue execution thereon as in civil cases.
THIRTY-NINTH CONGRESS. Sess. II. Ch. 63, 64. 1867.

SEC. 9. And be it further enacted, That all acts or parts of acts of the legislature of Maryland or of Congress, now in force, inconsistent with the provisions of this act, are hereby repealed, and this act shall take effect and be in force from and after its passage.

APPROVED, February 22, 1867.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no appeal shall be allowed from a judgment of a justice of the peace, unless the appellant, with sufficient surety or sureties, approved by the justice, enter into an undertaking to satisfy and pay all intervening damages and costs arising on the appeal.

SEC. 2. And be it further enacted, That when such undertaking has been entered into, the justice shall immediately file the original papers, including a copy of his docket entries, in the office of the clerk of the supreme court of the District of Columbia; and thereupon, as soon as the appellant shall have made the deposit for costs required by law, or obtained leave from one of the justices, or from the court, to prosecute his appeal without a deposit, the clerk shall docket the cause, and shall issue a summons for the appellee to appear at the next trial term of the court, and thereafter the cause shall be proceeded with in the manner prescribed by the act of March one, eighteen hundred and twenty-three, entitled "An act to extend the jurisdiction of justices of the peace in the recovery of debts in the District of Columbia," except that the appellant need not file a petition as directed by said act.

SEC. 3. And be it further enacted, That if the appellant fails to prosecute his appeal, the appellee may, upon making the aforesaid deposit for costs, have the cause docketed, and move for affirmance of the justice's judgment, or he may have a trial of the cause upon its merits.

SEC. 4. And be it further enacted, That there shall be no supersedeas or stay of execution of the judgments of the supreme court of the District of Columbia, otherwise than by injunction, or upon proceedings in error to the Supreme Court of the United States.

SEC. 5. And be it further enacted, That mutual debts between the parties to an action, or between the testator or intestate of both parties, or either party, may be set off against each other by plea in bar, whether the said debts be of the same or a different nature; and if either debt arose by reason of a penalty, the exact sum to be set off shall be stated in the plea.

SEC. 6. And be it further enacted, That the plea of set-off may be:

"That the plaintiff, at the commencement of the suit, was, and still is, indebted to the defendant in the sum of ___ dollars, for ___, as appears by the particulars of the said debt, hereunto annexed; and he is willing that the same may be set off against the plaintiff's demand." And upon the trial of an issue upon said plea, judgment shall be for the balance found due, whether to the plaintiff or defendant, with costs. Mutual judgments recovered in said court may be set off against each other, on motion of either party; and the court shall award execution for the balance found due against the party chargeable therewith.

SEC. 7. And be it further enacted, That publication may be substituted for personal service of process upon any defendant who cannot be found, in suits for partition, divorce, by attachment, for the foreclosure of mortgages and deeds of trust, and for the enforcement of mechanics' liens and all other liens against real or personal property, and in all actions at law or in equity which have for their immediate object, the enforcement or establishment of any lawful right, claim, or demand to or against any real or personal property within the jurisdiction of the court.

APPROVED, February 22, 1867.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no appeal shall be allowed from a judgment of a justice of the peace, unless the appellant, with sufficient surety or sureties, approved by the justice, enter into an undertaking to satisfy and pay all intervening damages and costs arising on the appeal.

SEC. 2. And be it further enacted, That when such undertaking has been entered into, the justice shall immediately file the original papers, including a copy of his docket entries, in the office of the clerk of the supreme court of the District of Columbia; and thereupon, as soon as the appellant shall have made the deposit for costs required by law, or obtained leave from one of the justices, or from the court, to prosecute his appeal without a deposit, the clerk shall docket the cause, and shall issue a summons for the appellee to appear at the next trial term of the court, and thereafter the cause shall be proceeded with in the manner prescribed by the act of March one, eighteen hundred and twenty-three, entitled "An act to extend the jurisdiction of justices of the peace in the recovery of debts in the District of Columbia," except that the appellant need not file a petition as directed by said act.

SEC. 3. And be it further enacted, That if the appellant fails to prosecute his appeal, the appellee may, upon making the aforesaid deposit for costs, have the cause docketed, and move for affirmance of the justice's judgment, or he may have a trial of the cause upon its merits.

SEC. 4. And be it further enacted, That there shall be no supersedeas or stay of execution of the judgments of the supreme court of the District of Columbia, otherwise than by injunction, or upon proceedings in error to the Supreme Court of the United States.

SEC. 5. And be it further enacted, That mutual debts between the parties to an action, or between the testator or intestate of both parties, or either party, may be set off against each other by plea in bar, whether the said debts be of the same or a different nature; and if either debt arose by reason of a penalty, the exact sum to be set off shall be stated in the plea.

SEC. 6. And be it further enacted, That the plea of set-off may be:

"That the plaintiff, at the commencement of the suit, was, and still is, indebted to the defendant in the sum of ___ dollars, for ___, as appears by the particulars of the said debt, hereunto annexed; and he is willing that the same may be set off against the plaintiff's demand." And upon the trial of an issue upon said plea, judgment shall be for the balance found due, whether to the plaintiff or defendant, with costs. Mutual judgments recovered in said court may be set off against each other, on motion of either party; and the court shall award execution for the balance found due against the party chargeable therewith.

SEC. 7. And be it further enacted, That publication may be substituted for personal service of process upon any defendant who cannot be found, in suits for partition, divorce, by attachment, for the foreclosure of mortgages and deeds of trust, and for the enforcement of mechanics' liens and all other liens against real or personal property, and in all actions at law or in equity which have for their immediate object, the enforcement or establishment of any lawful right, claim, or demand to or against any real or personal property within the jurisdiction of the court.

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SEC. 3. And be it further enacted, That if the appellant fails to prosecute his appeal, the appellee may, upon making the aforesaid deposit for costs, have the cause docketed, and move for affirmance of the justice's judgment, or he may have a trial of the cause upon its merits.

SEC. 4. And be it further enacted, That there shall be no supersedeas or stay of execution of the judgments of the supreme court of the District of Columbia, otherwise than by injunction, or upon proceedings in error to the Supreme Court of the United States.

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SEC. 6. And be it further enacted, That the plea of set-off may be:

"That the plaintiff, at the commencement of the suit, was, and still is, indebted to the defendant in the sum of ___ dollars, for ___, as appears by the particulars of the said debt, hereunto annexed; and he is willing that the same may be set off against the plaintiff's demand." And upon the trial of an issue upon said plea, judgment shall be for the balance found due, whether to the plaintiff or defendant, with costs. Mutual judgments recovered in said court may be set off against each other, on motion of either party; and the court shall award execution for the balance found due against the party chargeable therewith.

SEC. 7. And be it further enacted, That publication may be substituted for personal service of process upon any defendant who cannot be found, in suits for partition, divorce, by attachment, for the foreclosure of mortgages and deeds of trust, and for the enforcement of mechanics' liens and all other liens against real or personal property, and in all actions at law or in equity which have for their immediate object, the enforcement or establishment of any lawful right, claim, or demand to or against any real or personal property within the jurisdiction of the court.

APPROVED, February 22, 1867.
SEC. 8. And be it further enacted, That no order for the substitution of publication for personal service shall be made till a summons for the defendant shall have been issued and returned "not to be found." And when an order for publication shall be made, it shall be in the following or equivalent form:

“In the Supreme Court of the District of Columbia, the —— day of ——, 18—.

A. B., plaintiff,

v.

C. D., defendant.

On motion of the plaintiff, by Mr. ——, his attorney, it is ordered that the defendant cause his appearance to be entered herein on or before the first rule day occurring forty days after this day; otherwise the cause will be proceeded with as in case of default.”

SEC. 9. And be it further enacted, That all sales duly made in cases in which publication is substituted for personal service of process shall be good and valid, and shall vest any purchaser with a perfect title.

SEC. 10. And be it further enacted, That the proceeding to enforce any lien shall be by bill or petition in equity, and the decree, besides subjecting the thing upon which the lien has attached to the satisfaction of the plaintiff’s demand against the defendant, shall adjudicate that the plaintiff recover his demand against the defendant, and that he may have execution thereof as at law.

SEC. 11. And be it further enacted, That in actions against foreign corporations doing business in the District of Columbia, all process may be served on the agent of such corporation or person conducting its business aforesaid, or in case he is absent and cannot be found, by leaving a copy thereof at the principal place of business in the District, and such service shall be effectual to bring the corporation before the court.

SEC. 12. And be it further enacted, That the power claimed and exercised as of common right by every landlord, of seizing, by his own authority, the personal chattels of his tenant for rent arrear, is hereby abolished, and, instead of it, the landlord shall have a tacit lien upon such of the tenant’s personal chattels, upon the premises, as are subject to execution for debt, to commence with the tenancy and continue for three months after the rent is due, and until the termination of any action for such rent brought within said three months. And this lien may be enforced,—

1. By attachment, to be issued upon affidavit that the rent is due and unpaid; or if not due, that the defendant is about to remove or sell all or some of said chattels; or,

2. By judgment against the tenant and execution, to be levied on said chattels or any of them, in whosoever hands they may be found; or,

3. By action against any purchaser of any of said chattels, with notice of the lien, in which action the plaintiff may have judgment for the value of the chattels purchased by the defendant, but not exceeding the rent arrear and damages.

SEC. 13. And be it further enacted, That the declaration in replevin shall be in the following or equivalent form: “The plaintiff sues the defendant for (wrongfully taking and detaining,) (unjustly detaining) his, said plaintiff’s goods and chattels, to wit: (describe them) of the value of $—. And the plaintiff claims that the same be taken from the defendant and delivered to him; or if they are elog. he may have judgment of their said value, and all mesne profits and damages, which he estimates at $—, besides costs.” And at the time of filing the declaration, the plaintiff, his agent or attorney, shall file an affidavit, sworn to before the clerk, stating,—

1. That, according to affiant’s information and belief, the plaintiff is entitled to recover possession of the chattels proposed to be replevied, being the same described in the declaration;
2. That the defendant has seized and detains, or detains the same.

3. That said chattels were not subject to such seizure or detention, and were not taken upon any writ of replevin. And he shall, at the same time, enter into an undertaking with surety, approved by the clerk, to abide by and perform the judgment of the court in the premises.

Sec. 14. And be it further enacted, That if the officer's return of the writ of replevin be, that he has served the defendant with copies of the declaration, notice to plead and summons, but that he could not get possession of the goods and chattels sued for, the plaintiff may prosecute the action for the value of the same and damages for detention, or he may renew the writ in order to get possession of the goods and chattels themselves. If the officer's return be, that he has taken possession of the goods and chattels sued for, but that the defendant is not to be found, the court may order that the defendant appear to the action by some fixed day; and of this order the plaintiff shall cause notice to be given by publication in some newspaper of the District at least three times, the first of which shall be at least twenty days before the day fixed for the defendant's appearance; and if the defendant fail to appear, the court may proceed as in case of default after personal service.

Sec. 15. And be it further enacted, That if the defendant appear, he may plead not guilty, in which case all special matters of defence may be given in evidence, or he may plead specially.

Sec. 16. And be it further enacted, That, whether the defendant plead, and the issue thereon joined is found against him; or his plea is held bad on demurrer; or he make default after personal service, or after publication, the plaintiff's damages shall be ascertained by the jury trying the issue, where one is joined, or by a jury of inquest, where there is no issue of fact; and those damages shall be the full value of the goods, if elogned by the defendant, including, in every case, the loss sustained by the plaintiff by reason of the detention; and judgment shall pass for the plaintiff accordingly.

Sec. 17. And be it further enacted, That if the issue be found for the defendant, or the plaintiff dismiss or fail to prosecute his suit, the judgment shall be that the goods, if delivered to the plaintiff, be returned to the defendant with damages, or on failure, that the defendant recover against the plaintiff and his surety the damages by him sustained, to be assessed by the jury trying the issue; or, where the plaintiff dismisses or fails to prosecute his suit, by the jury of inquest.

Sec. 18. And be it further enacted, That if the defendant has elogned the things sued for, the court may instruct the jury, if they find for the plaintiff, to assess such damages as may compel the defendant to return the things; and the judgment shall be that the plaintiff recover against the defendant the value of the goods as found, to be discharged by the return of the things, with damages for detention, which the jury shall also assess.

Sec. 19. And be it further enacted, That where a suit is brought upon an open account, verified by the plaintiff's or his agent's affidavit, that the amount claimed by the plaintiff is justly payable by the defendant to the plaintiff, and the defendant fails to defend the suit, the plaintiff may have judgment final by default for said amount, with interest from the day specified in the declaration, without an inquiry of damages. If the affidavit be made before an officer, of whose authority to administer oaths the court cannot take notice, his authority must be verified by the certificate under official seal, if he have one, of the officer having authority to give such certificate.

Sec. 20. And be it further enacted, That where money is payable by two or more persons jointly or severally, as by joint obligors, covenants, makers, drawers, or indorsers, one action may be sustained and judgment recovered against all or any of said parties, by whom the money is pay-
able, at the option of the plaintiff. But an action against one or some of the
parties by whom the money is payable may, while the litigation there-
in continues, be pleaded in bar of another action against another or others
of said parties.

Sec. 21. And be it further enacted, That in case of the sale of things,
real or personal, under a decree in equity, the decree confirming the sale
shall divest the right, title, or interest sold out of the former owner, party
to the suit, and vest it in the purchaser, without any conveyance by the
officer or agent of the court conducting the sale. And of this transfer of
title the decree shall be notice to all the world, when a copy thereof shall
be registered among the land records of the District. Nevertheless, the
court may order its officer or agent aforesaid to make a conveyance, if
that mode be deemed preferable, in particular cases.

Sec. 22. And be it further enacted, That if the declaration state a
cause of action of which the court has jurisdiction, but the verdict finds the
money payable by the defendant to the plaintiff to be less than the lowest
sum of which the court has jurisdiction, the plaintiff shall have judgment
for the amount found due to him from the defendant, but without costs.

Sec. 23. And be it further enacted, That all laws and parts of laws in
conflict with these provisions are repealed.

Approved, February 22, 1867.

Feb. 22, 1867. CHAP. LXY. — An Act providing for the Punishment of certain Crimes therein named
in the District of Columbia, and for other Purposes

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That if any person shall steal
any money or other personal goods or chattels, the property of another,
of the value of thirty-five dollars or upward, the person so offending shall
be deemed guilty of larceny, and, upon conviction thereof, shall be im-
prisoned in the penitentiary, and kept at hard labor not more than three
years, nor less than one year.

Sec. 2. And be it further enacted, That if any person shall steal, or
maliciously and feloniously destroy any bank bill, promissory note or
notes, bill of exchange, order, receipt, draft, check, or bond, given
for the payment of money, or receipt acknowledging the receipt of money
or other property, or any government bonds or other securities, or stamps,
United States treasury notes, or any public stocks, of the value of thirty-
five dollars or upward, knowing the same to be such, any such person
shall be deemed guilty of a misdemeanor, and on conviction thereof shall
be imprisoned in the penitentiary, and kept at hard labor not more than
three years, nor less than one year.

Sec. 3. And be it further enacted, That if any person shall receive or
buy any goods, or chattels, or bank bill or bills, or promissory note or
notes, bill of exchange, order, receipt, draft, check, or bond, given
for the payment of money, or any government bond, United States
treasury note or notes, or other securities, or government stamps, or stocks,
of the value of thirty-five dollars, or upwards, which have been stolen,
knowing the same to be stolen, with intent to defraud the owners thereof,
every person so offending shall be deemed guilty of a misdemeanor, and,
on conviction thereof, shall be imprisoned in the penitentiary, and kept
at hard labor, not more than three [years,] nor less than one year.

Sec. 4. And be it further enacted, That if any person shall steal any
money, or other goods and chattels of any kind whatever, of less value
than thirty-five dollars, the property of another, or shall steal or mali-
ciously destroy any bank bill, promissory note, bill of exchange, order, war-
rant, draft, check, or bond, or any accountable receipt for money, given
for the payment or acknowledgment of any sum under thirty-five dollars,
or any United States treasury note or government stamps of less value
than thirty-five dollars, the property of another, or shall receive or buy the same, knowing the same to be stolen, for the purpose of defrauding the owner thereof, every such person so offending, on conviction thereof, shall make restitution to the party injured in twofold the value of the property stolen or destroyed, and be fined in any sum not exceeding two hundred dollars, or shall be imprisoned in the jail of said District for any time not exceeding six months, or both, at the discretion of the court.

SEC. 5. And be it further enacted, That if any clerk, or servant of any private person, or any copartnership, (except persons within the age of sixteen years,) or any officer, agent, clerk, or servant of any incorporated company, shall embezzle or convert to his own use, or fraudulently take, make way with, or secrete with intent to embezzle or fraudulently convert to his own use, without the assent of his master or employers, any money, goods, rights of action, government bonds, United States treasury notes, or government stamps, or other valuable security or effects whatever, belonging to any other person, which shall come into his possession, or under his care by virtue of such employment or office, he shall, upon conviction, be punished in the manner prescribed by law for feloniously stealing property of the value of the article or property so embezzled, taken, or secreted, or of the value of any sum of money payable or due upon any right in action so embezzled.

SEC. 6. And be it further enacted, That every embezzlement of any evidence of debt, negotiable by delivery only, and actually executed by the master or employer of any such clerk, agent, officer, or servant, but not delivered or issued as a valid instrument, shall be deemed an offence within the meaning of the last preceding section.

SEC. 7. And be it further enacted, That every person who shall buy, or in any way receive any money, goods, rights in action, government bonds, United States treasury notes, or other valuable security or effects whatever, or government stamps, knowing the same to have been embezzled, taken, or secreted, contrary to the provisions of the two last sections, shall, upon conviction, be punished in the same manner, and to the same extent as therein prescribed upon a conviction of a servant, clerk, or agent for such embezzlement.

SEC. 8. And be it further enacted, That if any carrier or other person, to whom any goods, money, right in action, or any valuable personal property or effects, shall have been delivered to be transported or carried, &c. property de.

SEC. 9. And be it further enacted, That all persons sentenced to imprisonment in the jail of said District may be employed at such labor, and under such regulations, as may be prescribed by the supreme court of said District, and the proceeds thereof applied to defray the expenses of the trial and conviction of any such person.

SEC. 10. And be it further enacted, That it shall be the duty of the supreme court of said District to make such rules for the government and discipline of the prisoners confined in said jail as shall be deemed necessary for the health, security, and the protection of said prisoners from cruel treatment by any person in charge thereof.

SEC. 11. And be it further enacted, That on the trial of any person charged with a crime, the punishment whereof may be confinement in the penitentiary or District jail, the defendant shall be entitled to four peremptory challenges of jurors.

SEC. 12. And be it further enacted, That in all criminal trials the said
Court may allow witnesses for defence to be paid as, &c.

Repealing clause

When act takes effect.

SEC. 13. And be it further enacted, That all laws of said District inconsistent with the provisions of this act be, and the same are hereby, repealed; and that this act shall take effect from and after its passage.

APPROVED, February 22, 1867.

Feb. 22, 1867. CHAP. LXVI - An Act to restore Lieutenant Joseph P. Fyffe to his Grade in Active Service of the Navy.

Lieut. Joseph P. Fyffe may be appointed to the active list of the navy, &c.

APPROVED, February 22, 1867.


Pay of bailiffs and criers of the courts of the District of Columbia.

APPROVED, February 22, 1867.

Feb. 25, 1867. CHAP. LXXVI. - An Act to authorize the Construction of a submerged Tubular Bridge across the Mississippi River at the City of Saint Louis.

A submerged iron tubular bridge may be built and maintained across the Mississippi river at Saint Louis.

Questions of obstructing the free navigation of the river may be tried in what courts.

Top of bridge to be below the bed of the river, &c.

Any such bridge to be a lawful structure and a post-route.

Charges for transportation of the mails, the troops, the munitions of war of the United States, than the rate per mile which the railroad companies terminating at either end receive for such services.
SEC. 4. And be it further enacted, That no exclusive right or privilege shall ever be granted to any of the steam railroads now concentrating at Saint Louis or East Saint Louis by the said bridge company to use the same, but it shall be equally open to all, under such regulations and at such charges as may be fixed, not to exceed those now charged by the Wiggins Ferry Company.

Approved, February 25, 1867.

CHAP. LXXVII.—An Act granting Lands to the State of Oregon to aid in the Construction of a military Wagon Road from Dalles City, on the Columbia River, to Fort Boise, on the Snake River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is granted to the State of Oregon, to aid in the construction of a military wagon road from Dalles City, on the Columbia river, by way of Camp Watson, Canon City, and Mormon or Humboldt Basin, to a point on the Snake river opposite Fort Boise, in Idaho Territory, alternate sections of public lands, designated by odd numbers, to the extent of three sections in width on each side of said road: Provided, That the lands hereby granted shall be exclusively applied to the construction of said road, and to no other purpose; and shall be disposed of only as the work progresses: And provided further, That any and all lands heretofore reserved to the United States, or otherwise appropriated by act of Congress or other competent authority, be, and the same are hereby, reserved from the operation of this act, except so far as it may be necessary to locate the route of said road through the same, in which case the right of way to the width of one hundred feet is granted: And provided further, That the grant hereby made shall not embrace any mineral lands of the United States.

SEC. 2. And be it further enacted, That the lands hereby granted to said State shall be disposed of by the legislature thereof for the purpose aforesaid, and for no other; and the said road shall be and remain a public highway for the use of the government of the United States, free from tolls or other charges upon the transportation of any property, troops, or mails of the United States.

SEC. 3. And be it further enacted, That said road shall be constructed with such width, gradation, and bridges as to permit of its regular use as a wagon road, and in such other special manner as the State of Oregon may prescribe.

SEC. 4. And be it further enacted, That the State of Oregon is authorized to locate and use in the construction of said road an additional amount of public lands, not previously reserved to the United States nor otherwise disposed of, and not exceeding ten miles in distance from it, equal to the amount reserved from the operation of this act in the first section of the same, to be selected in alternate odd sections as provided in section first of this act.

SEC. 5. And be it further enacted, That lands hereby granted to said State shall be disposed of only in the following manner, that is to say: when the governor of said State shall certify to the Secretary of the Interior that ten continuous miles of said road are completed, then a quantity of the land hereby granted, not to exceed thirty sections, may be sold, and so on from time to time until said road shall be completed; and if said road is not completed within five years, no further sales shall be made, and the lands remaining unsold shall revert to the United States.

SEC. 6. And be it further enacted, That the United States surveyor-general for the district of Oregon shall cause said lands so granted to be surveyed at the earliest practicable period after said State shall have enacted the necessary legislation to carry this act into effect.

Approved, February 25, 1867.
CHAP. LXXVI.—An Act to amend the twenty-first Section of an Act entitled "An Act further to prevent Smuggling and for other Purposes," approved July eighteenth, eighteen hundred and sixty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-one of an act entitled "An act to prevent smuggling and for other purposes," approved July eighteenth, eighteen hundred and sixty-six, be amended by adding to said section twenty-one the following proviso: "Provided, That this section shall not apply, or be held to apply, to any case where the said towing in whole or in part is within or upon foreign waters. And provided, That any foreign railroad company or corporation, whose road enters the United States by means of a ferry or tug boat, may own such boat, and it shall be subject to no other or different restrictions or regulations in such employment, than if owned by a citizen of the United States."

APPROVED, February 25, 1867.

CHAP. LXXXIX.—An Act to amend Section twelve, Chapter two hundred and ninety-nine, of the Laws of the First Session of the Thirty-Ninth Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last clause of section twelve, of chapter two hundred and ninety-nine, of the laws of first session thirty-ninth Congress, approved July twenty-eighth, eighteen hundred and sixty-six, is hereby amended by repealing all after and including the words "if until otherwise provided by law," so as to place the judge advocates thereby authorized to be retained in service upon the same footing in respect to tenure of office and otherwise as other officers of the army of the United States.

APPROVED, February 25, 1867.

CHAP. LXXXI.—An Act to change certain Collection-Districts in Maryland and Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the districts of Oxford and Vienna in Maryland be, and the same are hereby, abolished, and the office of collector of both said districts is hereby discontinued.

SEC. 2. And be it further enacted, That the district of Oxford, in said State, shall be annexed to the district of Baltimore; and all that part of the district of Vienna, in said State, bordering on the sea-coast, and all the waters which flow into the sea or bays on the east side of said district of Vienna, be, and the same are hereby, annexed to the district of Cherry-Stone, in the State of Virginia, and that all the residue of said district of Vienna be, and the same is hereby, made a new district, to be called the eastern district, and that the collector of said eastern district shall receive an annual salary of twelve hundred dollars, and shall reside at Crisfield, which shall be the port of entry for said new district.
Sec. 3. And be it further enacted, That the offices of surveyor at Snow Hill, and of deputy collector at Annamasset and Deal's Island be, and the same are hereby, discontinued.

Sec. 4. And be it further enacted, That all acts and parts of acts inconsistent with this act are hereby repealed.

Approved, February 25, 1867.

CHAP. LXXXII. — An Act relative to Collection Districts in North Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of October, anno Domini eighteen hundred and sixty-six, there shall be in the State of North Carolina four collection districts, to wit: one, to be called the district of Albemarle, which shall include Albemarle, Currituck, and Croatan sounds, and all the waters, shores, harbors, rivers, creeks, bays, and inlets adjacent to and flowing into the said sounds, together with that part of Pamlico sound north of and including Loggerhead inlet, and all waters and shores appertaining thereto. And the port of entry for said district shall be at Plymouth. Another to be called the district of Pamlico, which shall include Pamlico sound, and all the waters, shores, harbors, rivers, creeks, bays, and inlets adjacent to and flowing into said sound, exclusive of the district of Albemarle, and including the south line of Neuse river to the northern entrance of Core sound, and the port of entry for said district of Pamlico shall be at New bern. Another to be called the district of Beaufort, which shall include all the waters, shores, harbors, creeks, bays, and inlets south of the district of Pamlico, and north of and including New river and inlet; and the port of entry for said district of Beaufort shall be at Beaufort. And another to be called the district of Wilmington, which shall include all waters, shores, harbors, creeks, bays, and inlets south of the district of Beaufort to the southern boundary of the said State, and the port of entry for said district of Wilmington shall be at Wilmington. And the collector of each of said districts shall reside at the port of entry thereof, and shall be appointed by the President by and with the advice and consent of the Senate, and receive a salary at the rate of one thousand dollars per annum in addition to the fees of office: Provided, That such compensation shall in no case exceed the sum of twenty-five hundred dollars per annum in the aggregate.

Sec. 2. And be it further enacted, That the Secretary of the Treasury, should it at any time hereafter seem to him necessary, may change the port of entry in the district of Beaufort from Beaufort to Morehead city; and that all acts and parts of acts conflicting with the provisions of this act be, and the same are hereby, repealed.

Approved, February 25, 1867.

CHAP. LXXXIII. — An Act to amend the Act entitled "An Act further to provide for the Safety of the Lives of Passengers on board of Vessels propelled in whole or in part by Steam, to regulate the Salaries of Steamboat Inspectors, and for other Purposes," approved July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section nine of the act entitled "An act to amend the act entitled 'An act further to provide for the safety of the lives of passengers on board of vessels propelled in whole ed. or in part by steam, to regulate the salaries of steamboat inspectors, and for other purposes,'" approved July twenty-five, eighteen hundred and sixty-six, be, and the same is hereby, amended so as to read as follows:

Sec. 9. And be it further enacted, That all vessels navigating the bays [bays,] inlets, rivers, harbors, and other waters of the United States, except vessels subject to the jurisdiction of a foreign power, and engaged in foreign trade, and not owned in whole or in part by a citizen of the United States, shall navigate the same subject to the laws and regulations prescribed by this act:

Approved, February 25, 1867.

Sec. 4. And be it further enacted, That all acts and parts of acts inconsistent with this act are hereby repealed.
States, shall be subject to the navigation laws of the United States; and all vessels propelled in whole or in part by steam, and navigating as aforesaid, shall also be subject to all rules and regulations consistent therewith, established for the government of steam vessels in passing, as provided in the twenty-ninth section of an act relating to steam vessels, approved the thirtieth day of August eighteen hundred and fifty-two. And every sea-going steam vessel now subject or hereby made subject to the navigation laws of the United States, and to the rules and regulations aforesaid, shall, when under way, except upon the high seas, be under the control and direction of pilots licensed by the inspectors of steam vessels; vessels of other countries and public vessels of the United States only excepted: Provided, however, That nothing in this act, or in the act of which it is amendatory, shall be construed to annul or affect any regulation established by the existing law of any State requiring vessels entering or leaving a port in such State to take a pilot duly licensed or authorized by the laws of such State, or of a State situate upon the waters of the same port.

Approved, February 25, 1867.

Feb. 27, 1867. CHAP. XCVIII. — An Act declaring Clinton Bridge, across the Mississippi River, at Clinton, in the State of Iowa, a Post-Route

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge across the Mississippi river erected by the Albany Bridge Company, and the Chicago, Iowa, and Nebraska Railroad Company, under the authority of the State[s] of Iowa and Illinois, between the towns of Clinton, Iowa, and Albany, Illinois, shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, than the rate per mile paid for their transportation over the railroads or public highways leading to the said bridge.

SEC. 2. And be it further enacted, That the draw of said bridge shall be opened promptly upon reasonable signal for the passage of boats whose construction shall not be such as to admit of their passage under the permanent spans of said bridge, except when trains are passing over the same; but in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

SEC. 3. And be it further enacted, That in case of any litigation hereafter arising from any alleged obstruction to the free navigation of said river, the cause may be tried before the circuit court of the United States of any State in which any portion of said obstruction or bridge touches.

SEC. 4. And be it further enacted, That the right to alter or amend this act so as to prevent or remove all material obstructions to the navigation of said river, by the construction of said bridge, is hereby expressly reserved.

Approved, February 27, 1867.

Feb. 28, 1867. CHAP. XCIX. — An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-eight, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-eight, namely:

For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Aus-
tria, Brazil, republic of Mexico, China, Italy, Chili, Peru, Portugal, Switzerland, Belgium, Holland, Denmark, Sweden, Turkey, New Grenada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, Japan, and Salvador, three hundred and one thousand dollars: Provided, That no money shall be paid to the present Minister Resident at Portugal out of any fund whatever; and this provision shall continue in force until repealed by Congress. And no money hereby or otherwise appropriated shall be paid for the support of an American legation at Rome, from and after the thirtieth day of June, eighteen hundred and sixty-seven.

For salaries of secretaries of legation, thirty thousand dollars.
For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.
For salary of the interpreter to the legation to China, five thousand dollars.
For salary of the secretary of legation to Turkey, acting as interpreter, three thousand dollars.
For salary of the interpreter to the legation to Japan, two thousand five hundred dollars.
For contingent expenses of all the missions abroad, fifty thousand dollars.
For contingent expenses of foreign intercourse, sixty-five thousand dollars.
For expenses of intercourse with the Barbary powers, three thousand dollars.
For expenses of the consulates in the Turkish dominions, namely: interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars.
For the relief and protection of American seamen in foreign countries, per acts of February eighteen, eighteen hundred and sixty-three, and February twenty-eight, eighteen hundred and eleven, two hundred thousand dollars.
For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck, ten thousand dollars.
For the purchase of blank books, stationery, book cases, arms of the United States, seals, presses, and flags, and for the payment of postages, and miscellaneous expenses of the consuls of the United States, including loss by exchange, fifty thousand dollars.
For office rent for those consuls-general, consuls, and commercial agents who are not allowed to trade, including loss by exchange thereon, forty-five thousand dollars.
For salaries of consuls-general, consuls, commercial agents, and thirteen consular clerks, namely:

I. CONSULATES GENERAL.

SCHEDULE B.

Alexandria, Calcutta, Constantinople, Frankfort-on-the-Main, Havana, Montreal, Shanghai.

II. CONSULATES.

SCHEDULE B.

Acapulco, Aix-la-Chapelle, Algiers, Amoy, Amsterdam, Antwerp, Aspinwall, Bankok, Basle, Belfast, Beirut, Buenos Ayres, Bordeaux, Bremen, Brindisi, Boulogne, Barcelona, Cadiz, Callao, Candia, Canton, Chemnitz, in Saxony, Chin-Kiang, Clifton, Coaticook, Cork, Demarara,

III. COMMERCIAL AGENCIES.

SCHEDULE B.

Balize, (Honduras,) Madagascar, San Juan del Norte, Saint Domingo.

IV. CONSULATES.

SCHEDULE C.

Aux Cayes, Bahia, Batavia, Bay of Islands, Cape Haytien, Cape Town, Cartagena, Ceylon, Cobija, Cyprus, Falkland Islands, Fayal, Guayaquil, Lanthala, Maranham, Matamoras, Mexico, Montevideo, Omoa, Payta, Para, Paso del Norte, Pirmus, Rio Grande, Sabanilla, Saint Catharine, Santa Cruz, (West Indies,) Santiago, (Cape Verde,) Stettin, Tabasco, Tahiti, Taleahuano, Tumbez, Venice, Zanzibar.

V. COMMERCIAL AGENCIES.

SCHEDULE C.

Amoor River, Apia, Gaboon, Saint Paul de Loando [Loanda,] including loss by exchange thereon, four hundred and thirty-one thousand five hundred dollars. No money appropriated by this act shall be applied to the payment of salary or compensation to any diplomatic representative of any grade, or to any consul or commercial agent of the United States, who is not a citizen of the United States, native, or duly naturalized. For interpreters to the consulates in China, including loss by exchange thereon, five thousand eight hundred dollars. For expenses incurred under instructions from the Secretary of State, in bringing home from foreign countries persons charged with crime, and expenses incident thereto, fifteen thousand dollars. For salaries of the marshals for the consular courts in Japan, including that at Nagasaki, and in China, Siam, and Turkey, including loss by exchange thereon, nine thousand dollars. For the salary of consul at Mahe, Seychelle islands, and at San Domingo, which consulates are hereby established and added to schedule B, fifteen hundred dollars each, three thousand dollars. For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same, nine thousand dollars. For salaries of ministers resident and consuls-general to Hayti and Liberia, eleven thousand five hundred dollars. For expenses under the act of Congress, to carry into effect the treaty
between the United States and her Britannic Majesty for the suppression of the African slave-trade, seventeen thousand dollars.

For expenses under the act to encourage immigration, twenty thousand dollars.

For expenses under the neutrality act, twenty thousand dollars.

For expenses of the commission to run and mark the boundary line between the United States and the British possessions bounding on Washington Territory, twenty-eight thousand and seventy dollars.

For defraying the expenses which may be incurred by despatches over the Atlantic cable, thirty thousand dollars.

For the payment of the second annual installment of the proportion contributed by the United States towards the capitalization of the Scheldt dues, to fulfil the stipulations contained in the fourth article of the convention between the United States and Belgium, of the twentieth of May, eighteen hundred and sixty-three, the sum of fifty-five thousand five hundred and eighty-four dollars in coin, and such further sum as may be necessary to carry out the stipulation of the convention providing for payment of interest on the said sum and on the portion of the principal remaining unpaid.

APPROVED, February 28, 1867.

CHAP. C. — An Act making Appropriations for the Support of the Military Academy for the fiscal Year ending June thirtieth, eighteen hundred and sixty-eight, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-eight: —

For pay of officers, instructors, cadets, and musicians, one hundred and fifty-four thousand eight hundred and forty dollars.

For commutation of subsistence, five thousand and fifty dollars.

For pay in lieu of clothing to officers' servants, one hundred and fifty-six dollars.

For current and ordinary expenses, sixty-six thousand four hundred and sixty-seven dollars.

For increase and expense of library, three thousand dollars.

For expenses of board of visitors, five thousand dollars.

For forage for artillery and cavalry horses, nine thousand dollars.

For horses for artillery and cavalry practice, one thousand dollars.

For repairs of officers' quarters, five thousand dollars.

For targets and batteries for artillery practice, five hundred dollars.

For furniture for cadets' hospital, two thousand dollars.

For gas pipes, gasometers, and retorts, six hundred dollars.

For materials for quarters for subaltern officers, five thousand dollars.

For ventilating and heating the barracks and other academic buildings; improving the apparatus for cooking for the cadets; repairing the hospital buildings, including the introduction of baths for the sick, the construction of water-closets in the library building, and new furniture for the restitation rooms, forty thousand dollars.

For purchase of fuel for cadets' mess-hall, three thousand dollars.

For the removal and enlargement of the gas works, twenty thousand dollars.

For additional appropriations, for which estimates were not made last year: —

For enlarging cadet laundry, five thousand dollars.

For furniture for soldiers' hospital, one hundred dollars.

For increasing the supply of water, replacing mains, and so forth, fifteen thousand dollars.
For ice-house and additional store and servants' rooms, seven thousand five hundred dollars.

For fire-proof building for public offices, fifteen thousand dollars.

For breast-high wall of water battery, five thousand dollars.

For permanent derrick on the wharf, two thousand five hundred dollars.

SEC. 2. And be it further enacted, That the cadets of the Military Academy be entitled to the ration now received by the acting midshipmen at the Naval Academy, commencing at the date of the approval of the law authorizing the same.

SEC. 3. And be it further enacted, That hereafter the assistant professor of Spanish shall receive the same pay and emoluments allowed to other assistant professors of the academy.

SEC. 4. And be it further enacted, That no part of the moneys appropriated by this or any other act shall be applied to the pay or subsistence of any cadet from any State declared to be in rebellion against the government of the United States, appointed after the first day of January, eighteen hundred and sixty-seven, until such State shall have been restored to its original relations to the Union.

APPROVED, February 28, 1867.

CHAP. CI. — An Act to fix the Compensation of the Officers of the Revenue Cutter Service, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the thirty-first day of December, eighteen hundred and sixty-six, the compensation of the officers of the revenue cutter service shall be at the following rates, viz:—

DUTY PAY.

Captains, twenty-five hundred dollars per annum.

First lieutenants and chief engineers, eighteen hundred dollars per annum.

Second lieutenants and first assistant engineers, fifteen hundred dollars per annum.

Third lieutenants and second assistant engineers, twelve hundred dollars per annum.

PAY ON LEAVE OF ABSENCE OR WHILE WAITING ORDERS.

Captains, eighteen hundred dollars per annum.

First lieutenants and chief engineers, fifteen hundred dollars per annum.

Second lieutenants and first assistant engineers, twelve hundred dollars per annum.

Third lieutenants and second assistant engineers, nine hundred dollars per annum.

SEC. 2. And be it further enacted, That from and after the thirty-first day of December, eighteen hundred and sixty-six, each officer of the revenue cutter service, while on duty, shall be entitled to one navy ration per day.

SEC. 3. And be it further enacted, That to enable the Secretary of the Treasury to carry out the provisions of this act during the last half of the current fiscal year and during the fiscal year ending June thirty, eighteen hundred and sixty-eight, the sum of one hundred and thirty-three thousand four hundred dollars is hereby appropriated for the expenses of the revenue cutter service, out of any money in the treasury not otherwise appropriated.

APPROVED, February 28, 1867.
CHAP. CII. — An Act for the Relief of certain drafted Men.

WHEREAS certain persons, drafted into the military service under the calls of the President of the United States, made February first, eighteen hundred and sixty-four, and March fourteenth, eighteen hundred and sixty-four, paid the sum of three hundred dollars each, being the amount of commutation fixed for such service under the fifth section of the amendatory enrolment act of February twenty-fourth, eighteen hundred and sixty-four, and the same persons were afterwards again drafted, under the call of December nineteenth, eighteen hundred and sixty-four, (being within one year of the previous draft, and before the filling of the quotas assigned under the two calls first named above,) and were then required to enter the service or furnish substitutes; and whereas the true intent and meaning of the fifth section of the amendatory act aforesaid was to exempt persons thus paying commutation from further draft until that quota should be filled, and not exceeding one year: Therefore —

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 and directed to refund to each person drafted as aforesaid, who paid commutation and was also required to enter the service or furnish a substitute as aforesaid, the sum of three hundred dollars, being the sum of money so as aforesaid paid by him; and there is hereby appropriated, out of any money in the treasury not otherwise appropriated, a sum sufficient to make such payments.

SEC. 2. And be it further enacted, That the Secretary of War is authorized and required to refund from the commutation money the amount (not exceeding three hundred dollars in any one case) paid by any person drafted during the late war who furnished a substitute or paid commutation money, wherever it shall appear that, under the decisions and rules of the War Department governing at the time, the said person was entitled to discharge from the obligation to render personal service under the draft for which he paid money or furnished a substitute, and to refund, in like manner, in all cases wherein it shall appear that a person so having paid commutation money or furnished a substitute was not legally liable to draft: Provided, That this section shall apply only to claims received at the War Department prior to its passage.

APPROVED, February 28, 1867.

CHAP. CIII. — An Act relative to the Port of Camden, New Jersey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the port of Camden, in the State of New Jersey, be, and the same is hereby, annexed to the collection district of Philadelphia, and that an assistant collector, to be appointed in accordance with the laws of the United States, shall reside at Camden, who shall have power to enter, and clear vessels in like manner as the collector of Philadelphia is authorized to do, but such assistant collector shall nevertheless act in conformity to such instructions and regulations as he shall from time to time receive from the collector of Philadelphia; and that the said assistant collector shall receive for his annual salary fifteen hundred dollars in full for all services to be by him performed, and in lieu of commissions and fees.

SEC. 2. And be it further enacted, That the assistant collector, appointed under this act, be, and he hereby is, authorized to enroll and license, according to the laws of the United States, all vessels engaged in the coasting trade and fisheries, owned in whole or in part by residents of that portion of the Bridgeton district lying north of Alloway's creek, in the county of Salem, in the State of New Jersey. And all such enrollments and licenses shall be as valid and effectual as if they had been effected in any other port of the United States; and the said assistant collector may enroll and license certain vessels engaged in the coasting trade and fisheries. Such licenses, &c., to be valid.

APPROVED, February 28, 1867.
Responsibilities of collector. collector, in the enrolment and licensing of vessels, shall be subject to the laws of the United States, and liable to all the penalties and responsibilities imposed upon collectors in like cases.

APPROVED, February 28, 1867.

March 1, 1867. CHAP. CXLIII. — An Act to quiet Title to Land in the Towns of Santa Clara and Petaluma, in the State of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right and title of the United States to the land situated within the corporate limits of the towns of Santa Clara and Petaluma, in the State of California, as defined in the acts of the legislature of that State incorporating said towns, be, and the same are hereby, relinquished and granted to the corporate authorities of said towns and their successors, in trust, for and with authority to convey so much of said land as is in the bona fide occupancy of parties upon the passage of this act, by themselves or tenants, to such parties: Provided, That this grant shall not extend to any reservation of the United States, nor prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, nor preclude a judicial examination and adjustment thereof.

APPROVED, March 1, 1867.

March 2, 1867. CHAP. CXLIV. — An Act making Appropriations for the Repair, Preservation, and Completion of certain Public Works heretofore commenced under the Authority of Law, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction and superintendence of the Secretary of War, for the repair, preservation, and completion of the following works heretofore commenced under the authority of law, and for the other purposes hereinafter named, that is to say:—

For examination and survey of works of improvement for which appropriations have been heretofore made, and concerning which no sufficient information is now in possession of the department, and for examination and survey at other points in the fourth and fifth sections of this act specified, that is to say: On the Atlantic coast, thirty thousand dollars; on the Pacific coast, twenty-five thousand dollars; on the northwestern lakes, seventy-five thousand dollars; on the western and northwestern rivers, one hundred and twenty-five thousand dollars. And the Secretary of War, when the public interests require it, shall cause examinations or re-examinations to be made, with suitable surveys, of the works aforesaid and all other works provided for by this act, and shall make such changes or modifications of the plans heretofore adopted for their improvement as shall be necessary and proper. And he shall cause such needful examination of other harbors and places in the fourth and fifth sections of this act specified, upon the sea and lake coasts and on western rivers, to be made as will enable him to determine what improvements thereof are required to render them safe and convenient for the navigation of the naval and commercial vessels of the United States, and the costs of such improvements; and he shall make full report thereof, and of the plans deemed advisable therefor, to Congress on the first Monday of December next, for such action as may be judged expedient and right. And if, upon such examination and survey of works first herein named, being works now existing or in process of completion, and concerning which no information is now in the possession of the department, there shall remain an unexpended balance of appropriation, properly applicable there-
to, from the sums herein appropriated, which may, in the judgment of the Secretary of War, be judiciously applied towards the economical and needful continuation or completion of such works, the Secretary of War shall direct such balance to be applied and used accordingly; but no moneys shall be used for such purposes, excepting from the balances remaining from appropriations herein made for the specific examination and survey of such works.

For extending the pier at Erie harbor, Pennsylvania, and dredging channel through to outer bar, twenty-five thousand dollars.

For improvement at mouth of Conneaut river, Ohio, ten thousand dollars.

For improvement at Ashtabula harbor, Ohio, fifty-four thousand dollars.

For improvement of works at Grand River harbor, Ohio, sixty thousand dollars.

For improvement of Sandusky river, from Fremont to Lake Erie, in Ohio, twenty thousand dollars.

For improvement of Maumee bay, Ohio, twenty thousand dollars.

For improvement of St. Clair flats, in Michigan, one hundred and fifty thousand dollars, to be expended in accordance with the plans and specifications of Colonel T. J. Cram, in his report of December tenth, eighteen hundred and sixty-six.

For improvement at mouth of Saginaw river, Michigan, twenty-eight thousand dollars.

For improvement of St. Mary's river, Michigan, fifty thousand dollars.

For improving mouth of Au Sable river, Lake Huron, fifty thousand dollars.

For improving Marquette harbor, Lake Superior, eighty-five thousand dollars.

For improving Eagle harbor, Lake Superior, sixty-five thousand dollars.

For improving harbor at Superior City, Wisconsin, sixty-three thousand dollars.

For improving harbor of Aux Bees Scies, Michigan, ten thousand dollars.

For improvement of Grand River harbor, Michigan, forty thousand dollars.

For improving harbor of Manistee, Michigan, sixty thousand dollars.

For improvement of White River harbor, Michigan, fifty-seven thousand dollars.

For improvement of Muskegon harbor, Lake Michigan, fifty-nine thousand dollars.

For improving harbor of South Haven, Michigan, forty-three thousand dollars.

For improving harbor of New Buffalo, Michigan, sixty thousand dollars.
THIRTY-NINTH CONGRESS. Sess. II. Ch. 144. 1867.

<table>
<thead>
<tr>
<th>Location</th>
<th>Proposal Description</th>
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<tbody>
<tr>
<td>Dunkirk</td>
<td>For improving harbor of Dunkirk, New York, one hundred thousand dollars.</td>
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<tr>
<td>Buffalo</td>
<td>For improving harbor of Buffalo, New York, one hundred thousand dollars.</td>
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<tr>
<td>Olcott</td>
<td>For improving harbor at Olcott, New York, at mouth of Eighteen-mile creek, sixty thousand dollars.</td>
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<tr>
<td>Oak Orchard</td>
<td>For improvement at harbor of Oak Orchard, New York, eighty-seven thousand dollars.</td>
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<tr>
<td>Big Sodus bay</td>
<td>For improving harbor of Big Sodus bay, New York, eighty thousand dollars.</td>
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<tr>
<td>Little Sodus bay</td>
<td>For improving harbor of Little Sodus bay, New York, fifty thousand dollars.</td>
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<tr>
<td>Oswego</td>
<td>For improving harbor at Oswego, New York, sixty thousand dollars.</td>
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<tr>
<td>Plattsburg</td>
<td>For improving harbor of Plattsburg, New York, twenty-six thousand dollars.</td>
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<tr>
<td>Kennebec river</td>
<td>For completing the improvement of the navigation of the Kennebec river, Maine, between Shepard's Point and Augusta, thirty thousand dollars.</td>
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<tr>
<td>Ogdensburg</td>
<td>For improving harbor of Ogdensburg, New York, forty thousand dollars.</td>
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<tr>
<td>Burlington</td>
<td>For improving the harbor of Burlington, Vermont, eighty thousand dollars.</td>
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<td>Thames river</td>
<td>For improvement of Thames river, Connecticut, thirty-six thousand dollars.</td>
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<tr>
<td>St Croix river</td>
<td>For the purpose of improving the navigation of the St. Croix river, Maine, above the ledge, fifteen thousand dollars: Provided, The province of New Brunswick shall contribute and pay to the proper disbursing officer a like sum for said purpose, said payment being made on condition that in no event shall the province of New Brunswick be called upon for more than half the sum actually expended for said purpose.</td>
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<td>Province of New Brunswick to pay the like sum, &amp;c.</td>
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<tr>
<td>Hudson river</td>
<td>For improvement of Hudson river, New York, from Troy to Baltimore, three hundred and five thousand one hundred and eighty-eight dollars.</td>
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<tr>
<td>Marcus Hook</td>
<td>For improving harbor of Marcus Hook, Pennsylvania, ninety-four thousand dollars.</td>
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<tr>
<td>Chester harbor</td>
<td>For improvement of Chester harbor, Pennsylvania, eleven thousand dollars.</td>
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<tr>
<td>Delaware breakwater</td>
<td>For improvement of Delaware breakwater, Delaware bay, one hundred and nine thousand four hundred and ninety-three dollars and seventy cents.</td>
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<tr>
<td>Patapsco river</td>
<td>For improvement of Patapsco river, Maryland, seventy-five thousand dollars.</td>
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<tr>
<td>Mississippi river</td>
<td>For improvement of mouth of Mississippi river, two hundred thousand dollars.</td>
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<tr>
<td>Ohio river</td>
<td>For improvement of Ohio river, one hundred thousand dollars.</td>
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<tr>
<td>Saco river</td>
<td>For improvement of Saco river, Maine, forty thousand dollars.</td>
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<tr>
<td>Boston harbor</td>
<td>For preservation and improvement of Boston harbor, Massachusetts, three hundred and seventy-five thousand dollars.</td>
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<tr>
<td>Improving the navigation of the Mississippi river at Des Moines; Canal to be free of tolls.</td>
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<tr>
<td>Improving navigation on the Mississippi river at Des Moines or Lower rapids, according to such plan as the Secretary of War shall on the report of a board of engineers approve, five hundred thousand dollars: Provided, however, That any canal that may be constructed around said Des Moines or Lower rapids of the Mississippi river shall be and forever remain free to the navigation and commerce of said river; and no tolls shall ever be collected thereon.</td>
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<tr>
<td>Rock Island rapids</td>
<td>For improving navigation of Mississippi river at Rock Island rapids, two hundred thousand dollars.</td>
</tr>
<tr>
<td>Ontonagon harbor</td>
<td>For improving harbor of Ontonagon, Michigan, ninety-seven thousand six hundred dollars.</td>
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</tbody>
</table>
For building and operating two dredges and snag-boats, to be used on the Mississippi river between Fort Snelling and Rock Island rapids, ninety-six thousand dollars.

For building and operating one dredge or snag-boat on the Wisconsin river, forty thousand dollars.

For improving harbor of Pentwater, Lake Michigan, fifty-five thousand dollars.

For improving harbor of Pere Marquette, Lake Michigan, thirty thousand dollars.

To improve the navigation of the Willamette river, Oregon, below the city of Portland, thirty thousand dollars.

For removing snags and boulders throughout the Minnesota river, thirty-seven thousand five hundred dollars.

For improvement of Providence river, Rhode Island, off Pawtuxet bar, and at the Crook, twenty-five thousand dollars.

To improve the navigation of the Willamette river, Oregon, below the city of Portland, thirty thousand dollars.

For removing snags and boulders throughout the Minnesota river, thirty-seven thousand five hundred dollars.

For improvement of the Pawtucket river, Rhode Island, seventeen thousand dollars.

Sec. 2. And be it further enacted, That the appropriation of seventy-five thousand dollars for constructing works, and improving the entrance into the harbor of Michigan City, Indiana, made in and by the act approved June twenty-third, eighteen hundred and sixty-six, shall be expended for the purposes aforesaid, upon the terms, and in the manner hereinafter provided for other appropriations under this act: Provided, That it shall be first shown to the satisfaction of the Secretary of War that the sum of one hundred thousand dollars has been expended by the Michigan City Harbor Company in the construction of a safe and convenient harbor at that place: And provided, That the passage of vessels to and from said harbor shall be free, and not subject to toll or charge, and the money appropriated by this act shall be so applied as to complete or make the nearest approximation to completing the work for which each specific appropriation is made; and it shall be the duty of the Secretary of War to apply the sums herein appropriated for other purposes than for examinations and surveys by contract: Provided, however, That when, from the nature of the work to be done, the same cannot, in the judgment of the Secretary, be made the subject of contract, the necessary expenditure may be otherwise ordered: Provided, That no contract shall be made except after public advertisement for proposals, in such form and manner as to secure general notice thereof, and the same shall only be made with the lowest responsible bidder therefor, upon security deemed sufficient in the judgment of the Secretary. And it shall be the duty of the said Secretary, at the earliest practicable time, to report to Congress the result of any survey or re-survey, with the plan adopted and the items of expenditure under said plan; and he shall make report of all action taken under the provisions of this act, and he shall accompany said report with a statement of the amount and date of all former appropriations for each work, and a full estimate for its entire and permanent completion, with the amount that can be profitably expended in the next fiscal year; and he shall also state in what collection district each work is located, and at or near what port of entry, lighthouse, or port, what amount of revenue was collected at the nearest port of entry for the last fiscal year, and, as far as practicable, what amount of commerce and navigation would be benefited by the completion of each particular work: Provided, That he shall continue to make such a report the first Monday of December, annually, until the works herein provided for shall be completed.

Sec. 3. And be it further enacted, That whenever the Secretary of War shall invite proposals for any works, or for any material or labor for any works, there shall be separate proposals and separate contracts for each work, and also for each class of material or labor for each work, and he shall report to Congress, on the first Monday of December next, to be continued until works are completed.

Dredges and snag-boats on the Mississippi river.

Harbor of Pere Marquette.

Willamette river.

Snags &c. in the Minnesota river.

Providence river.

Pawtucket river.

Former appropriation for harbor at Michigan City.

Ante, p 73.

Vessels not to be subject to toll.

App. 1866, Ch 138.

Not to be applied as to complete the works.

For other purposes than for examinations, &c. by contract.

Contract not to be made until, &c.

Secretary of War to report results of surveys to Congress with plans, &c.

Separate proposals and contracts for each work and each class of works, &c.
Disbursing officers except, &c. to give bonds.

United States officers not to receive commissions for disbursements.

Appropriations to be at the disposal of the Secretary of War.

Examinations, or surveys, or both, to be made at various points, and the purpose of the examinations;

to be continued at certain other points.

all the bids with the names of the bidders. All persons not holding commissions in the regular army of the United States, who shall be intrusted with the disbursement of the funds appropriated for the works named in this act, shall be required to give bond and ample security for the faithful application of the same, and no such disbursing officer in the army of the United States shall receive any commission or compensation for making such disbursements. And the money hereinbefore appropriated shall remain and be at the disposal of the Secretary of War, and subject to his control for the purposes named in this act until the several works and improvements herein provided for are completed, any law or regulation to the contrary notwithstanding.

SEC. 4. And be it further enacted, That the Secretary of War is here by directed to cause examinations or surveys, or both, as aforesaid, to be made at the following points, namely: At the harbor of San Francisco, California, with a view to the removal of "Blossom Rock," if the same should be found necessary and essential to commerce; at Crescent city harbor, California; at Duxbury beach, Massachusetts; at mouth of Menomonee river, Green bay; at Saugatuck harbor, mouth of Kalamazoo river, in Michigan; at Port Clinton, in Ohio; at Pulneyville, Lake Ontario, New York; and of the Tennessee river, from Chattanooga to its mouth; at Reedy island and Liston (tree) point, in the Delaware river and bay; at Richmond's island, Cape Elizabeth, the Union river and the Gut opposite the city of Bath, Maine; the Connecticut river, between Hartford and its mouth; at Block Island, in the State of Rhode Island, the reefs in Lake Michigan, near the harbor of Racine, in Wisconsin, with a view to a lighthouse and breakwater thereon; and the Potomac river, in the District of Columbia.

SEC. 5. And be it further enacted, That the Secretary of War is hereby directed to cause a continuance of examinations or surveys, or both, at the following points, namely: Of the Mississippi river, above the Falls of Saint Anthony and between the Falls of Saint Anthony and Rock Island rapids; of the Wisconsin river, and to continue the survey of the Illinois river, in accordance with the recommendation of General J. H. Wilson, in his report of January twelve, eighteen hundred and sixty-seven. And he is also directed to cause plans and estimates to be made of the most practicable and effective mode of improving the harbor at Galveston, Texas, and of erecting suitable breakwater at that point.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CXLV.—An Act to provide for a temporary Increase of the Pay of Officers in the Army of the United States, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for two years from the first day of July, eighteen hundred and sixty-six, all officers of the army below the rank of major-general, including the professors at West Point, shall be paid an addition of thirty-three and one third per centum to their present pay proper; and the pay and emoluments of all field and other mounted officers shall hereafter be the same as is now provided by law for cavalry officers of like grades.

SEC. 2. And be it further enacted, That section one of the act entitled "An act to increase the pay of soldiers in the United States army, and for other purposes," approved June twenty, eighteen hundred and sixty-four, be, and the same is hereby, continued in full force and effect for three years from and after the close of the rebellion, as announced by the President of the United States by proclamation, bearing date the twentieth day of August, eighteen hundred and sixty-six.

SEC. 3. And be it further enacted, That the provisions of the joint resolution approved July twenty-fifth, eighteen hundred and sixty-six, en-
titled "A Joint Resolution in regard to rations of Union soldiers held as prisoners of war," shall be extended so as to allow commutation of rations at cost prices in the settlement of the accounts of all enlisted men of the army, navy, and marine corps, who died while held as prisoners of war in the rebel States, or who, having been so held as prisoners of war, have died or may die subsequent to release; to be paid, however, only to the widow of such deceased person, if such widow remain unmarried, or in case there be no such widow then to the surviving children of the deceased; or if there be no such widow or children, then to the parent or parents of the deceased; or if there be no such widow, children, parent, or parents, then to the brothers and sisters of the deceased.

SEC. 4. And be it further enacted, That section one of the "Act providing for the better organization of the military establishment," approved August third, eighteen hundred and sixty-one, authorizing the President to appoint an assistant secretary of war, be, and the same is hereby, repealed.

SEC. 5. And be it further enacted, That so much of the act entitled "An act to increase and fix the military peace establishment of the United States," approved July twenty-eighth, eighteen hundred and sixty-six, as relates to the promotion of assistant surgeons after three years' service, shall be amended so as to read "and persons who have served as surgeons or assistant surgeons three years in the volunteer force shall be eligible for promotion to the grade of captain."

SEC. 6. And be it further enacted, That the act entitled "An act more effectually to provide for the national defence by establishing an uniform militia throughout the United States," approved May eight, seventeen hundred and ninety-two, and the several acts amendatory thereof, be, and they are hereby, amended by striking out the word "white."

SEC. 7. And be it further enacted, That (excepting the ordnance storekeeper and paymaster at the Springfield Armory, who has the rank, pay, and allowances of a major of cavalry) all storekeepers of the army shall hereafter have the rank, pay, and allowances of captains of cavalry, and the post chaplains now in service, or hereafter to be appointed, shall be commissioned by the President, and all vacancies occurring in the grade of chaplain, which is hereby established to rank as captain of infantry, shall be filled by the President, by and with the advice and consent of the Senate, and all army chaplains shall hereafter be on the same footing as to tenure of office, retirement, allowances for service and pensions, as now provided by law for other officers of the army.

SEC. 8. And be it further enacted, That in any case where a person entitled to receive payment of bounty, under the provisions of any law, shall make application therefor, or where such application shall be made by the proper representatives of such person, being deceased, and the discharge of such person has been lost, it shall be competent for the accounting officers to receive, in lieu of the actual production of such discharge, proof of the actual loss of the same and secondary proof of its issue and contents, together with proof of the identity of the claimant or person deceased, under such rules defining the character and form of the evidence as the paymaster-general shall prescribe.

SEC. 9. And be it further enacted, That section fifteen of the "Act to increase the present military establishment of the United States, and for other purposes," approved July fifth, eighteen hundred and thirty-eight, be amended so that general officers shall not hereafter be excluded from receiving the additional ration for every five years' service; and it is hereby further provided that officers on the retired list of the army shall have the same allowance of additional rations for every five years' service as officers in active service.

APPROVED, March 2, 1867.
CHAP. CXLVI.—An Act in Relation to Persons imprisoned under Sentence for Offences against the Laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all prisoners who have been, or shall hereafter be, convicted of any offence against the laws of the United States, and confined in any State prison or penitentiary in execution of the judgment or sentence upon such conviction, who so conduct themselves that no charge for misconduct shall be sustained against them, shall have a deduction of one month in each year made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden or keeper of such prison or penitentiary, with the approval of the Secretary of the Interior.

APPROVED, March 2, 1867.

CHAP. CXLVII.—An Act for the Relief of certain Contractors for the Construction of Vessels-of-War and Steam Machinery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to investigate the claims of all contractors for building vessels-of-war and steam machinery for the same under contracts made after the first day of May, eighteen hundred and sixty-one, and prior to the first day of January, eighteen hundred and sixty-four, and said investigation to be made upon the following basis: He shall ascertain the additional cost which was necessarily incurred by each contractor in the completion of his work by reason of any changes or alterations in the plans and specifications required, and delays in the prosecution of the work occasioned by the government, which were not provided for in the original contract; but no allowance for any advance in the price of labor or material shall be considered, unless such advance occurred during the prolonged time for completing the work rendered necessary by the delay resulting from the action of the government aforesaid, and then only when such advance could not have been avoided by the exercise of ordinary prudence and diligence on the part of the contractor, and from such additional cost, to be ascertained as aforesaid, there shall be deducted such sum as may have been paid each contractor for any reason heretofore over and above the contract price, and shall report to Congress a tabular statement of each case, which shall contain what

Tabular statement of each case to be reported to Congress, and to contain what

Claim of W. H. Webb for constructing the Dunderberg

Approved, March 2, 1867
THIRTY- NINTH CONGRESS. SESS. II. CH. 148, 149. 1867.

CHAP. CXLVIII. — An Act to amend the Act entitled "An Act to extend the Time for the Reversion to the United States of the Lands granted by Congress to aid in the Construction of a Railroad from Amboy, by Hillsdale and Lansing, to some Point on or near Traverse Bay, in the State of Michigan, and for the Completion of said Road," approved July three, eighteen hundred and sixty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the act entitled "An act to extend the time for the reversion to the United States of the lands granted by Congress to aid in the construction of a railroad from Amboy, by Hillsdale and Lansing, to some point on or near Traverse Bay, in the State of Michigan, and for the completion of said road," approved July three, eighteen hundred and sixty-six, be and the same is hereby amended by striking out the word "February" where it occurs in said section, and inserting the word "July" in lieu thereof.

APPROVED, March 2, 1867.

CHAP. CXLIX. — An Act to authorize the Building of Lighthouses therein mentioned, and for other Purposes.

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 provide, by contract, for building lighthouses at the following points, to wit:

For building a lighthouse on a proper site at Trowbridge Point, in Thunder Bay, in the State of Michigan, at a cost not exceeding ten thousand dollars.

For building a lighthouse on a proper site at Mendota, on Lake Superior, in the State of Michigan, at a cost not exceeding fourteen thousand dollars.

For building a lighthouse on a proper site at Santa Cruz, in the State of California, at a cost not exceeding ten thousand dollars.

For building a lighthouse at Pigeon river, or vicinity, Lake Superior, Minnesota, fifteen thousand dollars.

For building a lighthouse on a proper site at or near Braddock's Point, Georgia, at a cost not exceeding fifteen thousand dollars.

For building a lighthouse to mark Tybee Island Knoll, Georgia, at a cost not exceeding fifteen thousand dollars.

For building range-lights on Morris Island, as guides in crossing Charleston Bar, South Carolina, at a cost not exceeding fifteen thousand dollars.

For rebuilding the lighthouse on a proper site at Deepwater Shoals in James River, Virginia, at a cost not exceeding sixteen thousand dollars.

For rebuilding lighthouse tower and keeper's dwelling on a proper site at Saint Simon's, Georgia, at a cost not exceeding forty-five thousand dollars.

SEC. 2. And be it further enacted, That the Lighthouse Board is hereby directed to make a survey, if no survey has been made, at Crossledge Shoal, or at some other point in the Delaware bay, in the neighborhood of said Shoal, and report on the survey to be made, or which has already been made, to the next Congress as to the feasibility of erecting thereon a permanent lighthouse, and an estimate of the amount necessary to be appropriated therefor.

SEC. 3. And be it further enacted, That no contract shall be made except after public advertisement for proposals in such form and manner as to secure general notice thereof, and the same shall only be made with the lowest bidder therefor, upon security deemed sufficient in the judgment of the Secretary.

SEC. 4. And be it further enacted, That, from and after the passage of this act, the Secretary of the Treasury be, and he is hereby, authorized and empowered to regulate and fix the salaries of the respective keepers of lighthouses in such manner as he shall deem just and proper: Provided, the Secretary of the Treasury.
The average, that the whole sum allowed shall not exceed an average of six hundred dollars to each keeper.

APPROVED. March 2, 1867.

CHAP. CL. — An Act amendatory of "An Act to provide a temporary Government for the Territory of Montana," approved May twenty-six, eighteen hundred and sixty-four.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the legislative assemblies of the several Territories of the United States shall not, after the passage of this act, grant private charters or especial privileges, but they may, by general incorporation acts, permit persons to associate themselves together as bodies corporate for mining, manufacturing, and other industrial pursuits.

Sec. 2. And be it further enacted, That the probate courts of the Territory of Montana, in their respective counties, in addition to their probate jurisdiction, are hereby authorized to hear and determine civil causes wherein the damage or debt claimed does not exceed five hundred dollars, and such criminal cases arising under the laws of the Territory as do not require the intervention of a grand jury: Provided, That they shall not have jurisdiction in any matter in controversy when the title or right to the peaceable possession of land may be in dispute, or chancery or divorce causes: And provided further, That in all cases an appeal may be taken from any order, judgment, or decree of said probate court to the district court.

Sec. 3. And be it further enacted, That the chief justice and associate justices of the Territory of Montana and the Territory of Idaho, shall each receive an annual salary of thirty-five hundred dollars.

Sec. 4. And be it further enacted, That the judges of the supreme court of said Territory, or a majority of them, shall, when assembled at the seat of government of said Territory, define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and shall also fix and appoint the times and places for holding the courts in the several counties or subdivisions in each of said judicial districts, and alter the times and places of holding the courts as to them shall seem proper and convenient, but not less than two terms shall be held at each place of holding court each year.

Sec. 5. And be it further enacted, That for the purpose of reviving the legislative functions of the Territory of Montana, which have been adjudged therein to have lapsed, the governor of said Territory be, and he is hereby, authorized, on or before the first day of July, eighteen hundred and sixty-seven, to divide said Territory into legislative districts for the election of members of the council and house of representatives, and to apportion among said districts the number of members of the legislative assembly provided for in the organic act of said Territory, and the election of said members of the legislative assembly shall be held at such time and shall be conducted in the manner prescribed by the legislative assembly of said Territory at the session thereof, begun and held at the city of Bannack, in eighteen hundred and sixty-four and eighteen hundred and sixty-five, and the qualifications of voters shall be the same as that prescribed by said organic act, saving and excepting the distinction therein made on account of race or color, and the legislative assembly, so elected, shall convene at the time prescribed by said legislative assembly at the session last aforesaid. The apportionment provided for in this section shall be based upon such an enumeration of the qualified electors of the several legislative districts as shall appear from the election returns in the office of the secretary of said Territory, and from such other sources of information as will enable the governor, without taking a new census, to make an apportionment which shall fairly represent the people of the
several districts in both houses of the legislative assembly, but the legislature may at any time change the legislative districts of the Territory as fixed by the governor.

SEC. 6. And be it further enacted, That all acts passed at the two sessions of the so-called legislative assembly of the Territory of Montana held in eighteen hundred and sixty-six, are hereby disapproved and declared null and void, except such acts as the legislative assembly herein authorized to be elected shall by special act in each case re-enact: Provided, however, That in all claims of vested rights thereunder, the party claiming the same shall not, by reason of anything in this section contained, be precluded from making and testing said claim in the courts of said Territory: And provided further, That no legislation or pretended legislation in said Territory since the adjournment of the first legislative assembly shall be deemed valid until the election of the legislative assembly herein provided for shall take place.

SEC. 7. And be it further enacted, That from and after the first day of April next the salary of each of the judges of the several supreme courts in each of the organized Territories (except Montana and Idaho) shall be two thousand five hundred dollars.

SEC. 8. And be it further enacted, That all acts and parts of acts inconsistent with this act are hereby repealed.

APPROVED, March 2, 1867.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the judges of the supreme court of said Territory, or a majority of them, shall, when assembled at the seat of government of said Territory, define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts; and shall also fix and appoint the times and places for holding court in the several counties or sub-divisions in each of said judicial districts, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

SEC. 2. And be it further enacted, That the next session of the legislative assembly of the Territory of Idaho shall be held commencing on the first Monday in December, A. D. eighteen hundred and sixty-eight, and thereafter the legislative assembly of said Territory shall be held biennially. And the next election for members of the legislative assembly of said Territory shall be held on the second Monday in August, A. D. eighteen hundred and sixty-eight, and thereafter said election shall be held biennially.

SEC. 3. And be it further enacted, That the members of the house of representatives of said legislative assembly shall be elected for the term of two years, and the members of the council of said legislative assembly shall be elected for the term of four years: Provided, That at the first election hereafter one half of the members of said council shall be elected for the term of two years, and the remaining half for the term of four years; and the districts wherein members of the council are to be elected are to be elected for the term of four years at the next election shall be determined by proclamation of the governor of said Territory: Provided, That in all counties and election districts which shall be entitled to elect two members of the council, one of said members shall be elected for two years and the other for four years.

SEC. 4. And be it further enacted, That all acts and parts of acts inconsistent with this act are hereby repealed.

APPROVED, March 2, 1867
March 2, 1867.  


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the sixth section of the act entitled "An act authorizing the construction of a jail in and for the District of Columbia," approved June [July] twenty-five, eighteen hundred and sixty-six, as specifies the amounts to be raised and paid into the treasury of the United States by the cities of Washington and Georgetown, respectively, before the completion of said jail, is hereby repealed.

SEC. 2. And be it further enacted, That it shall be the duty of the proper authorities of the city of Washington, and they are hereby required, to raise, by tax or otherwise, and pay into the treasury of the United States, at or before the time of the completion of said jail, the sum of seventy-eight thousand dollars; and it shall be the like duty of the proper authorities of the city of Georgetown, and they are hereby required, to raise, by tax or otherwise, and pay into the treasury of the United States, at or before the time of the completion of said jail, the sum of twelve thousand dollars.

Approved, March 2, 1867.

March 2, 1867.  

CHAP. CLIII. — An Act to provide for the more efficient Government of the Rebel States.

Whereas no legal State governments or adequate protection for life or property now exists in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas it is necessary that peace and good order should be enforced in said States until loyal and republican State governments can be legally established: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That said rebel States shall be divided into military districts and made subject to the military authority of the United States as hereinafter prescribed, and for that purpose Virginia shall constitute the first district; North Carolina and South Carolina the second district; Georgia, Alabama, and Florida the third district; Mississippi and Arkansas the fourth district; and Louisiana and Texas the fifth district.

SEC. 2. And be it further enacted, That it shall be the duty of the President to assign to the command of each of said districts an officer of the army, not below the rank of brigadier-general, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned.

SEC. 3. And be it further enacted, That it shall be the duty of each officer assigned as aforesaid, to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals; and to this end he may allow local civil tribunals to take jurisdiction of and to try offenders, or, when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose, and all interference under color of State authority with the exercise of military authority under this act, shall be null and void.

SEC. 4. And be it further enacted, That all persons put under military arrest by virtue of this act shall be tried without unnecessary delay, and no cruel or unusual punishment shall be inflicted, and no sentence of any military commission or tribunal hereby authorized, affecting the life or liberty of any person, shall be executed until it is approved by the officer in command of the district, and the laws and regulations for the govern-
ment of the army shall not be affected by this act, except in so far as they conflict with its provisions: Provided, That no sentence of death under the provisions of this act shall be carried into effect without the approval of the President.

SEC. 5. And be it further enacted, That when the people of any one of said rebel States shall have formed a constitution of government in conformity with the Constitution of the United States in all respects, framed by a convention of delegates elected by the male citizens of said State, twenty-one years old and upward, of whatever race, color, or previous condition, who have been resident in said State for one year previous to the day of such election, except such as may be disfranchised for participation in the rebellion or for felony at common law, and when such constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualifications herein stated for electors of delegates, and when such constitution shall be ratified by a majority of the persons voting on the question of ratification who are qualified as electors for delegates, and when such constitution shall have been submitted to Congress for examination and approval, and Congress shall have approved the same, and when said State, by a vote of its legislature elected under said constitution, shall have adopted the amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress, and known as article fourteen, and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress, and senators and representatives shall be admitted therefrom on their taking the oath prescribed by law, and then and thereafter the preceding sections of this act shall be inoperative in said State: Provided, That no person excluded from the privilege of holding office by said proposed amendment to the Constitution of the United States, shall be eligible to election as a member of the convention to frame a constitution for any of said rebel States, nor shall any such person vote for members of such convention.

SEC. 6. And be it further enacted, That, until the people of said rebel States shall be by law admitted to representation in the Congress of the United States, any civil governments which may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same; and in all elections to any office under such provisional governments all persons shall be entitled to vote, and none others, who are entitled to vote, under the provisions of the fifth section of this act; and no person shall be eligible to any office under any such provisional governments who would be disqualified from holding office under the provisions of the third article of said constitutional amendment.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,
President of the Senate, pro tempore.

IN THE HOUSE OF REPRESENTATIVES. March 2, 1867.

The President of the United States having returned to the House of Representatives, in which it originated, the bill entitled "An act to provide for the more efficient government of the rebel States," with his objections thereto, the House of Representatives proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWD. McPHERSON,
Clerk of H. R. U. S.
The Senate having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act to provide for the more efficient government of the rebel States," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives to the Senate, with the message of the President returning the bill:

Resolved, That the bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

J. W. FORNEY,
Secretary of the Senate.

March 2, 1867.

CHAP. CLIV.—An Act regulating the Tenure of certain Civil Offices.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person holding any civil office to which he has been appointed by and with the advice and consent of the Senate, and every person who shall hereafter be appointed to any such office, and shall become duly qualified to act therein, is, and shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided:

Provided, That the Secretaries of State, of the Treasury, of War, of the Navy, and of the Interior, the Postmaster-General, and the Attorney-General, shall hold their offices respectively for and during the term of the President by whom they may have been appointed and for one month thereafter, subject to removal by and with the advice and consent of the Senate.

SEC. 2. And be it further enacted, That when any officer appointed as aforesaid, excepting judges of the United States courts, shall, during a recess of the Senate, be shown by evidence satisfactory to the President, to be guilty of misconduct in office, or crime, or for any reason shall become incapable or legally disqualified to perform its duties, in such case, and in no other, the President may suspend such officer and designate some suitable person to perform temporarily the duties of such office until the next meeting of the Senate, and until the case shall be acted upon by the Senate, and such person so designated shall take the oaths and give the bonds required by law to be taken and given by the person duly appointed to fill such office; and in such case it shall be the duty of the President, within twenty days after the first day of such next meeting of the Senate, to report to the Senate such suspension, with the evidence and reasons for his action in the case, and the name of the person so designated to perform the duties of such office. And if the Senate shall concur in such suspension and advise and consent to the removal of such officer, they shall so certify to the President, who may thereupon remove such officer, and, by and with the advice and consent of the Senate, appoint another person to such office. But if the Senate shall refuse to concur in such suspension, such officer so suspended shall forthwith resume the functions of his office, and the powers of the person so performing its duties in his stead shall cease, and the official salary and emoluments of such officer shall, during such suspension, belong to the person so performing the duties thereof, and not to the officer so suspended: Provided, however, That the President, in case he shall become satisfied that such suspension was made on insufficient grounds, shall be authorized, at any time before reporting such suspension to the Senate as above provided, to revoke such suspension and reinstate such officer in the performance of the duties of his office.

SEC. 3. And be it further enacted, That the President shall have power to fill all vacancies which may happen during the recess of the Senate, by
reason of death or resignation, by granting commissions which shall expire at the end of their next session thereafter. And if no appointment, by and with the advice and consent of the Senate, shall be made to such office so vacant or temporarily filled as aforesaid during such next session of the Senate, such office shall remain in abeyance, without any salary, fees, or emoluments attached thereto, until the same shall be filled by appointment thereto, by and with the advice and consent of the Senate; and during such time all the powers and duties belonging to such office shall be exercised by such other officer as may by law exercise such powers and duties in case of a vacancy in such office.

SEC. 4. And be it further enacted, That nothing in this act contained shall be construed to extend the term of any office the duration of which is limited by law.

SEC. 5. And be it further enacted, That if any person shall, contrary to the provisions of this act, accept any appointment to or employment in any office, or shall hold or exercise or attempt to hold or exercise, any such office or employment, he shall be deemed, and is hereby declared to be, guilty of a high misdemeanor, and, upon trial and conviction thereof, he shall be punished therefor by a fine not exceeding ten thousand dollars, or by imprisonment not exceeding five years, or both said punishments, in the discretion of the court.

SEC. 6. And be it further enacted, That every removal, appointment, or employment, made, had, or exercised, contrary to the provisions of this act, and the making, signing, sealing, countersigning, or issuing of any commission or letter of authority for or in respect to any such appointment or employment, shall be deemed, and are hereby declared to be, high misdemeanors, and, upon trial and conviction thereof, every person guilty thereof shall be punished by a fine not exceeding ten thousand dollars, or by imprisonment not exceeding five years, or both said punishments, in the discretion of the court: Provided, That the President shall have power to make out and deliver, after the adjournment of the Senate, commissions for all officers whose appointment shall have been advised and consented to by the Senate.

SEC. 7. And be it further enacted, That it shall be the duty of the Secretary of the Senate, at the close of each session thereof, to deliver to the Secretary of the Treasury, and to each of his assistants, and to each of the auditors, and to each of the comptrollers in the treasury, and to the treasurer, and to the register of the treasury, a full and complete list, duly certified, of all the persons who shall have been nominated to and rejected by the Senate during such session, and a like list of all the offices to which nominations shall have been made and not confirmed and filled at such session.

SEC. 8 And be it further enacted, That whenever the President shall, without the advice and consent of the Senate, designate, authorize, or employ any person to perform the duties of any office, he shall forthwith notify the Secretary of the Treasury thereof; and it shall be the duty of the Secretary of the Treasury thereupon to communicate such notice to all the proper accounting and disbursing officers of his department.

SEC. 9. And be it further enacted, That no money shall be paid or received from the treasury, or paid or received from or retained out of any public moneys or funds of the United States, whether in the treasury or not, to or by or for the benefit of any person appointed to or authorized to act in or holding or exercising the duties or functions of any office contrary to the provisions of this act; nor shall any claim, account, voucher, order, certificate, warrant, or other instrument providing for or relating to such payment, receipt, or retention, be presented, passed, allowed, approved, certified, or paid by any officer of the United States, or by any person exercising the functions or performing the duties of any office or place of trust under the United States, for or in respect to such office or
the exeracing or performing the functions or duties thereof; and every person who shall violate any of the provisions of this section shall be deemed guilty of a high misdemeanor, and, upon trial and conviction thereof, shall be punished therefor by a fine not exceeding ten thousand dollars, or by imprisonment not exceeding ten years, or both said punishments, in the discretion of the court.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,
President of the Senate, pro tempore.

IN THE SENATE OF THE UNITED STATES,
March 2, 1867.

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act regulating the tenure of certain civil offices," with his objections thereto, the Senate proceeded, in pursuance of the Constitution, to reconsider the same; and Resolved, That the said bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

J. W. FORNEY,
Secretary of the Senate.

IN THE HOUSE OF REPRESENTATIVES U. S.
March 2, 1867.

The House of Representatives having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act regulating the tenure of certain civil offices," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representatives, with the message of the President returning the bill:

Resolved, That the bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWD. MCPHERSON,
Clerk.

March 2, 1867.

CHAP. CLV.-An Act to declare valid and conclusive certain Proclamations of the President, and Acts done in Pursuance thereof, or of his Orders, in the Suppression of the late Rebellion against the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts, proclamations, and orders of the President of the United States, or acts done by his authority or approval after the fourth of March, anno Domini eighteen hundred and sixty-one, and before the first day of July, anno Domini eighteen hundred and sixty-six, respecting martial law, military trials by courts-martial or military commissions, or the arrest, imprisonment and trial of persons charged with participation in the late rebellion against the United States, or as aiders or abettors thereof, or as guilty of any disloyal practice in aid thereof, or of any violation of the laws or usages of war, or of affording aid and comfort to rebels against the authority of the United States, and all proceedings and acts done or had by courts-martial or military commissions, or arrests and imprisonments made in the premises by any person by the authority of the orders or proclamations of the President, made as aforesaid, or in aid thereof, are hereby approved in all respects, legalized and made valid, to the same extent and with the same effect as if said orders and proclamations had been issued and made, and said arrests, imprisonments, proceedings, and acts had been done under the previous express authority and direction of the Congress of the United States, and in
pursuance of a law thereof previously enacted and expressly authorizing
and directing the same to be done. And no civil court of the United States,
or of any State, or of the District of Columbia, or of any district or ter-
ritory of the United States, shall have or take jurisdiction of, or in any
manner reverse any of the proceedings had or acts done as aforesaid, nor
shall any person be held to answer in any of said courts for any act done
or omitted to be done in pursuance or in aid of any of said proclamations
or orders, or by authority or with the approval of the President within
the period aforesaid, and respecting any of the matters aforesaid; and all
officers and other persons in the service of the United States, or who
acted in aid thereof, acting in the premises shall be held prima facie to
have been authorized by the President; and all acts and parts of acts
heretofore passed, inconsistent with the provisions of this act, are hereby
repealed.

APPROVED, March 2, 1867.

CHAP. CLVI.—An Act to provide for the Allotment of the Members of the Supreme
Court among the Circuits, and for the Appointment of a Marshal for the Supreme
Court.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the chief justice of the
United States and the associate justices of the Supreme Court shall be
allotted among the circuits now existing by order of the court; and when-
ever a new allotment shall be required or found expedient by reason of
alteration of one or more circuits, or of the new appointment of a chief
justice or associate justice, or otherwise, it shall be the duty of the court
to make the same; and if a new allotment shall become necessary at any
other time than during the term, such allotment shall be made by the
chief justice, and shall be binding until the next term, and until a new
allotment by the court.

SEC. 2. And be it further enacted, That the Supreme Court may ap-
point a marshal for said court, whose compensation shall be three thou-
sand five hundred dollars per annum; and said marshal shall take charge
of all property of the United States used by said court or its members,
and shall serve and execute all process and orders issuing out of said
court, or made by the chief justice or an associate justice, in pursuance of
law; and shall pay into the treasury of the United States all fees and
compensation allowed by law, and render a true account thereof, at the
close of each term, to the Secretary of the Interior; and the said marshal,
with the approval of the chief justice, may appoint assistants and mes-
sengers in place of the crier and messengers now employed, with such
compensation as is or may be allowed to officers of the House of Repre-
sentatives of similar grade; and all acts and parts of acts now in force
relating to the marshal of the District of Columbia shall apply to the said
marshal of the Supreme Court, except so far as in this act otherwise pro-
vided.

APPROVED, March 2, 1867.

CHAP. CLVII.—An Act to amend an Act entitled “An Act to continue, alter, and
amend the Charter of the City of Washington,” approved May seventeen, eighteen hun-
dred and forty-eight.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the second section of the
act entitled “An act to continue, alter, and amend the charter of the city
of Washington,” approved May seventeen, eighteen hundred and forty-
eight, shall be so amended as to read, “To license, tax, and regulate
agencies of all kinds of insurance companies: Provided, That the tax or
license shall not exceed one per centum upon the cash premiums re-
ceived.”

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Repealing clause

SEC. 2. And be it further enacted, That all laws and parts of acts inconsistent with this act are hereby repealed.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLVIII. — An Act to establish a Department of Education.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established, at the city of Washington, a department of education, for the purpose of collecting such statistics and facts as shall show the condition and progress of education in the several States and Territories, and of diffusing such information respecting the organization and management of schools and school systems, and methods of teaching, as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country.

SEC. 2. And be it further enacted, That there shall be appointed by the President, by and with the advice and consent of the Senate, a commissioner of education, who shall be entrusted with the management of the department herein established, and who shall receive a salary of four thousand dollars per annum, and who shall have authority to appoint one chief clerk of his department, who shall receive a salary of two thousand dollars per annum, one clerk who shall receive a salary of eighteen hundred dollars per annum, and one clerk who shall receive a salary of sixteen hundred dollars per annum, which said clerks shall be subject to the appointing and removing power of the commissioner of education.

SEC. 3. And be it further enacted, That it shall be the duty of the commissioner of education to present annually to Congress a report embodying the results of his investigations and labors, together with a statement of such facts and recommendations as will, in his judgment, subserve the purpose for which this department is established. In the first report made by the commissioner of education under this act, there shall be presented a statement of the several grants of land made by Congress to promote education, and the manner in which these several trusts have been managed, the amount of funds arising therefrom, and the annual proceeds of the same, as far as the same can be determined.

SEC. 4. And be it further enacted, That the commissioner of public buildings is hereby authorized and directed to furnish proper offices for the use of the department herein established.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLIX. — An Act declaring and fixing the Rights of Volunteers as a Part of the Army

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in computing the length of service of any officer of the army, in order to determine what allowance and payment of additional or longevity rations he is entitled to, and also in fixing the relative rank to be given to an officer as between himself and others having the same grade and date of appointment and commission, there shall be taken into account and credited to such officer whatever time he may have actually served, whether continuously or at different periods, as a commissioned officer of the United States, either in the regular army, or, since the nineteenth day of April, eighteen hundred and sixty-one, in the volunteer service, either under appointment or commission from the governor of a State, or from the President of the United States, and the provision herein contained as to relative rank shall apply to all appointments that have already been made under the “Act to fix the military peace establishment of the United States,” approved July twenty-eight, eighteen hundred and sixty-six.
SEC. 2. And be it further enacted, That in all matters relating to pay, allowances, rank, duties, privileges, and rights of officers and soldiers of the army of the United States, the same rules and regulations shall apply without distinction for such time as they may be or have been in the service, alike to those who belong permanently to that service and to those who, as volunteers, may be or have been commissioned or mustered into the military service under the laws of the United States for a limited period. But nothing in this act shall be construed as affecting or in any way relating to the militia of the several States when called into the service of the United States.

SEC. 3. And be it further enacted, That the act entitled “An act to increase the pay of soldiers in the United States army and for other purposes,” approved June twentieth, eighteen hundred and sixty-four, shall not be so construed as to increase the emoluments of the commissioned officers of the army at the date of its passage, and the first section of the act entitled “An act to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces and for other purposes,” approved March third, eighteen hundred and sixty-five, was not intended to be retrospective or retroactive in its operation, and shall not be so construed.
THIRTY-NINTH CONGRESS. Sess. II. Ch. 161. 1867.

Mode of forming limited partnerships, certificate to be signed and to state what; such partnerships shall make and severally sign a certificate, which shall contain the name or firm under which such partnership is to be conducted; the general nature of the business intended to be transacted; the names of all the general and special partners interested therein, distinguishing which are general and which are special partners, and their respective places of residence; the amount of capital which each special partner shall have contributed to the common stock; the period at which the partnership is to commence, and the period at which it is to terminate.

SEC. 4. And be it further enacted, That the certificate shall be acknowledged by the several persons signing the same before a notary public or a judge of any court in the District of Columbia, and such acknowledgments shall be made and certified in the same manner as the acknowledgments of deeds of land, and when so acknowledged and certified shall be filed in the office of the clerk of the supreme court of the District of Columbia, and shall be recorded by him at large in a book kept for that purpose, open to public inspection.

Affidavit of general partner to be filed with the certificate, and to state what Partnership not to be formed until certificate and affidavit are filed. All persons interested to be liable as general partners, if, &c.

Terms of the partnership when registered to be published. Affidavits of publication, how made, filed, and effect thereof.

Renewals or continuance of such partnerships. Certain alterations in the partnership to be deemed a dissolution.

Business may be conducted under what name.
contract or engagement of the partnership, or to enforce any liability of
the same, the general partner or partners whose name or names shall be
used in said firm or business shall be the only necessary defendants; and
any judgment or decree recovered against said defendant or defendants
shall have the same legal effect and operation, and execution thereon shall
be enforced and have like effect against the partnership assets as if the
judgment or decree had been recovered against the general partners.

SEC. 11. And be it further enacted, That if the name of any special
partner shall be used in the firm with his privity, he shall be deemed a
general partner, and the general partners only shall transact the business;
and if a special partner shall interfere, contrary to this provision, he shall
be deemed a general partner, but he may from time to time examine into
the state and progress of the partnership concerns and advise as to their
management.

SEC. 12. And be it further enacted, That no part of the sum which
any special partner shall have contributed to the capital stock shall be
withdrawn by him or paid or transferred to him in the shape of dividends,
profit, or otherwise, during the continuance of the partnership, but any
partner may annually receive lawful interest on the sum so contributed
by him if the payment of such interest shall not reduce the original
amount of such capital; and if, after payment of such interest, any profits
shall remain to be divided, he may also receive his portion of such profits.

SEC. 13. And be it further enacted, That if it shall appear that, by
the payment of interest or profits to any special partner, the original capital
has been reduced, the partner receiving the same shall be bound to restore
the amount necessary to make good his share of capital, with interest, on
being notified thereof.

SEC. 14. And be it further enacted, That every sale, assignment, or
transfer of any property or effects of such partnership, or of any general
partner, made by such partnership or general partner when insolvent or
in contemplation of insolvency, or after or in contemplation of the insol-
veney of any general partner, with the intent of giving a preference to
any creditor of such partnership or insolvent partner, and every judgment
confessed, lien created, or security given by such partnership or general
partner under the like circumstances and with the like intent, shall be void
as against the creditors of such partnership.

SEC. 15. And be it further enacted, That every special partner who
shall violate any of the provisions of the last two sections, or who shall
concur in or assent to any such violation by the partnership or by any in-
dividual partner, shall be liable as a general partner.

SEC. 16. And be it further enacted, That in case of the insolvency or
bankruptcy of the partnership no special partner shall, under any circum-
stances, be allowed to claim as a creditor until the claims of all the other partners
are satisfied.

SEC. 17. And be it further enacted, That all suits respecting the busi-
ness of the partnership shall be brought by and against the general part-
ers only, except in those cases in which provision is hereinbefore made
that special partners shall be deemed general partners and special partner-
ships general partnerships, when all persons so becoming general partners
may be joined with those originally general partners in any suit brought
against such partnerships, and except, also, the case provided for in section
number ten.

SEC. 18. And be it further enacted, That if, in any case or suit brought
against general and special partners, and at the trial of the cause, it shall
appear that the special partners or any of them are not liable to the writ
of the plaintiff, the court may proceed to judgment or decree against the
partners who may appear to be liable, in the same manner as if such part-
ners were the only parties defendant to the writ, excepting that the
partners who may be deemed not liable shall recover their legal costs

In suits against the partnership the general partners only to be
necessary defendants.

Effect of judgment.

General partners to transact the business.

Special partners to be liable, if, &c.

Sums contributed by special partners not to be withdrawn, &c.

Interest and profits

If capital is reduced by payment to special partner, he shall make good
the same, &c.

Sales, transfers, &c. of partnership property, &c. because, or in view,
of insolvency, or to give preference, to be void as against creditors

Special partners to become liable as general partners if, &c.

In case of insolvency, special partners not to claim as creditors, &c., &c.

Suits respecting partnership business to be brought by and against
general partners, except, &c.

Proceedings in suits against general and special partners, when special
partners appear not to be liable, &c.
Proceedings against general partners, when special partners afterwards appear to have become liable, judgment to be prima facie evidence of, &c.

Partnership not to be dissolved before the time stated in certificate, unless, &c.

General partners liable to account to each other and to special partners.

March 2, 1867.

CHAP. CLXII.—An Act to incorporate the Howard University in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be established, and is hereby established, in the District of Columbia, a university for the education of youth in the liberal arts and sciences, under the name, style, and title of “The Howard University.”

SEC. 2. And be it further enacted, That Samuel C. Pomeroy, Charles B. Boynton, Oliver O. Howard, Burton C. Cook, Charles H. Howard, James B. Hutchinson, Henry A. Brewster, Benjamin F. Morris, Danforth B. Nichols, William G. Finney, Roswell H. Stevens, E. M. Cushman, Hiram Barbour, E. W. Robinson, W. F. Bascom, J. B. Johnson, and Silas L. Loomis, be, and they are hereby, declared to be a body politic and corporate, with perpetual succession in deed or in law to all intents and purposes whatsoever, by the name, style, and title of “The Howard University,” by which name and title they and their successors shall be competent, at law and in equity, to take to themselves and their successors, for the use of said university, any estate whatsoever in any messuage, lands, tenements, hereditaments, goods, chattels, moneys, and other effects, by gift, devise, grant, donation, bargain, sale, conveyance, assurance, or will; and the same to grant, bargain, sell, transfer, assign, convey, assure, demise, declare, to use and farm let, and to place out on interest, for the use of said university, in such manner as to them, or a majority of them, shall be deemed most beneficial to said institution; and to receive the same, their rents, issues, and profits, income and interest, and to apply the same for the proper use and benefit of said university; and by the same name to sue and be sued, to implead and be impleaded, in any courts of law and equity, in all manner of suits, actions, and proceedings whatsoever, and generally by and in the same name to do and transact all and every the business touching or concerning the premises: Provided, That the same do not exceed the value of fifty thousand dollars net annual income, over and above and exclusive of the receipts for the education and support of the students of said university.
SEC. 3. And be it further enacted, That the first meeting of said corporators shall be held at the time and place at which a majority of the persons herein above named shall assemble for that purpose; and six days' notice shall be given each of said corporators, at which meeting said corporators may enact by-laws not inconsistent with the laws of the United States regulating the government of the corporation.

SEC. 4. And be it further enacted, That the government of the university shall be vested in a board of trustees, of not less than thirteen members, who shall be elected by the corporators at their first meeting. Said board of trustees shall have perpetual succession in deed or in law, and in them shall be vested the power hereinbefore granted to the corporation. They shall adopt a common seal, which they may alter at pleasure, under and by which all deeds, diplomas, and acts of the university shall pass and be authenticated. They shall elect a president, a secretary, and a treasurer. The treasurer shall give such bonds as the board of trustees may direct. The said board shall also appoint the professors and tutors, prescribing the number, and determining the amount of their respective salaries. They shall also appoint such other officers, agents, or employees, as the wants of the university may from time to time demand, in all cases fixing their compensation. All meetings of said board may be called in such manner as the trustees shall prescribe, and nine of them so assembled shall constitute a quorum to do business, and a less number may adjourn from time to time.

SEC. 5. And be it further enacted, That the university shall consist of the following departments, and such others as the board of trustees may establish: First, normal; second, collegiate; third, theological; fourth, law; fifth, medicine; sixth, agriculture.

SEC. 6. And be it further enacted, That the immediate government of the several departments, subject to the control of the trustees, shall be intrusted to their respective faculties, but the trustees shall regulate the course of instruction, prescribe, with the advice of the professors, the necessary text-books, confer such degrees, and grant such diplomas as are usually conferred and granted in other universities.

SEC. 7. And be it further enacted, That the board of trustees shall have power to remove any professor or tutor or other officers connected with the institution, when, in their judgment, the interest of the university shall require it.

SEC. 8. And be it further enacted, That the board of trustees shall publish an annual report, making an exhibit of the affairs of the university.

SEC. 9. And be it further enacted, That no misnomer of the said corporation shall defeat or annul any donation, gift, grant, devise, or bequest to or from the said corporation.

SEC. 10. And be it further enacted, That the said corporation shall not employ its funds or income, or any part thereof in banking operations or for any purpose or object other than those expressed in the first section of this act; and that nothing in this act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same.

APPROVED, March 2, 1867.

CHAP. CLXIII.—An Act supplemental to "An Act to establish the Treasury Department," approved the second of September, seventeen hundred and eighty-nine.

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 shall have power, by an appointment under his hand and official seal, to delegate to one of the assistant secretaries of the treasury, authority to sign in his stead all warrants for the payment of money into the public treasury, and all warrants for the disbursement from the public treasury of money certified by the proper accounting officers of the public treasury.
treasury to be due upon accounts duly audited and settled by them; and such warrants so signed shall be in all cases of the same validity as if they had been signed by the Secretary of the Treasury himself.

APPROVED, March 2, 1867.

CHAP. CLXIV — An Act to amend an Act entitled "An Act to incorporate the National Theological Institute," and to define and extend the Powers of the Same.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to incorporate the National Theological Institute," approved May tenth, one thousand eight hundred and sixty-six, be and the same is hereby amended as follows:

SEC. 1. That the name of the aforesaid corporation shall be and hereby is changed to that of "The National Theological Institute and University."

SEC. 2. That the said corporation may hold property in real estate in value not exceeding two hundred and fifty thousand dollars at any one time.

SEC. 3. That the said corporation shall be authorized to extend its privileges and facilities of instruction to others than those connected with the Christian ministry, confer degrees and do all other acts and things which usually pertain to universities in the United States, the terms of admission to such privileges being the same as those usual in said universities.

APPROVED, March 2, 1867.

CHAP. CLXV. — An Act extending the Time for the Completion of certain Street Railways.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section seventeen of the "Act to incorporate the Metropolitan Railroad Company, in the District of Columbia," approved July first, eighteen hundred and sixty-four, be extended, and the same is hereby, still further amended, so as to extend the time for the completion of their railroad line, except that part thereof between Seventeenth Street and the Capitol, for three years from the first day of January, eighteen hundred and sixty-six.

APPROVED, March 2, 1867.

CHAP. CLXVI — An Act making Appropriations for the legislative, executive, and judicial Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-eight, and for other Purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-eight, namely:

Legislative. — For compensation and mileage of senators, four hundred and fourteen thousand dollars.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz: secretary of the Senate, four thousand three hundred and twenty dollars; chief clerk, three thousand dollars; principal clerk and principal executive clerk in the office of the secretary of the Senate, at two thousand five hundred and ninety-two dollars each; eight clerks in office of the secretary of the Senate, at two thousand two hundred and twenty dollars each; keeper of the stationery, two thousand one hundred and two dollars and forty cents; two messengers, at one thousand two hundred and ninety-six
dollars each; one page, at seven hundred and twenty dollars; sergeant-at-arms and doorkeeper, two thousand four hundred dollars; assistant doorkeeper, two thousand and forty dollars; postmaster to the Senate, two thousand one hundred dollars; assistant postmaster and mail-carrier, one thousand seven hundred and twenty-eight dollars; two mail boys, at one thousand two hundred dollars each; superintendent of the document room, one thousand eight hundred dollars; two assistants in document room, at one thousand four hundred and forty dollars each; superintendent of the folding room, one thousand eight hundred dollars; three messengers, acting as assistant doorkeepers, at one thousand eight hundred dollars each; seventeen messengers, at one thousand four hundred and forty dollars each; clerk or secretary to the President of the Senate, two thousand one hundred and two dollars and forty cents; clerk to the committee on finance, two thousand two hundred and twenty dollars; clerk to the committee on claims, two thousand two hundred and twenty dollars; clerk to the committee on printing records, two thousand two hundred and twenty dollars; superintendent in charge of the furnaces, one thousand four hundred and forty dollars; assistant in charge of furnaces, eight hundred and sixty-four dollars; laborer in charge of private passages, eight hundred and sixty-four dollars; two laborers, at eight hundred and sixty-four dollars each; chaplain to the Senate, nine hundred dollars; one special policeman, eight hundred and sixty-four dollars; making ninety-eight thousand seven hundred and four dollars and eighty cents.

For contingent expenses of the Senate, viz:—
For stationery, twenty-five thousand dollars.
For newspapers, five thousand dollars.
For Congressional Globe, thirty-five thousand five hundred and thirty-two dollars.
For reporting and printing the proceedings in the Daily Globe for the first session of the fortieth Congress, twenty-one thousand two hundred and fifty dollars.
For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the first session of the fortieth Congress, eight hundred dollars each, four thousand dollars.
For one complete set of the Congressional Globe and Appendix for each senator in the fortieth Congress, who has not already received them; Provided, however, That any senator who has already, as a member of the House of Representatives, received a portion of a set of the Congressional Globe shall only be entitled to receive, as such senator, the additional volumes required to complete one full set, nine thousand three hundred and seventy-five dollars.
For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and laws of the United States, fifteen thousand dollars.
For clerks to committees, pages, horses, and carryalls, fifty-five thousand seven hundred and fifty dollars.
For capitol police, twenty-five thousand five hundred dollars.
For expenses of heating and ventilating apparatus, twenty-five thousand dollars.
For miscellaneous items, thirty thousand dollars.
For compensation and mileage of members of the House of Representatives and delegates from Territories, one million one hundred thousand dollars.
For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz: Clerk of the House of Representatives, four thousand three hundred and twenty dollars each; one page, at seven hundred and twenty dollars; sergeant-at-arms and doorkeeper, two thousand four hundred dollars; assistant doorkeeper, two thousand and forty dollars; postmaster to the Senate, two thousand one hundred dollars; assistant postmaster and mail-carrier, one thousand seven hundred and twenty-eight dollars; two mail boys, at one thousand two hundred dollars each; superintendent of the document room, one thousand eight hundred dollars; two assistants in document room, at one thousand four hundred and forty dollars each; superintendent of the folding room, one thousand eight hundred dollars; three messengers, acting as assistant doorkeepers, at one thousand eight hundred dollars each; seventeen messengers, at one thousand four hundred and forty dollars each; clerk or secretary to the President of the Senate, two thousand one hundred and two dollars and forty cents; clerk to the committee on finance, two thousand two hundred and twenty dollars; clerk to the committee on claims, two thousand two hundred and twenty dollars; clerk to the committee on printing records, two thousand two hundred and twenty dollars; superintendent in charge of the furnaces, one thousand four hundred and forty dollars; assistant in charge of furnaces, eight hundred and sixty-four dollars; laborer in charge of private passages, eight hundred and sixty-four dollars; two laborers, at eight hundred and sixty-four dollars each; chaplain to the Senate, nine hundred dollars; one special policeman, eight hundred and sixty-four dollars; making ninety-eight thousand seven hundred and four dollars and eighty cents.

For contingent expenses of the Senate, viz:—
For stationery, twenty-five thousand dollars.
For newspapers, five thousand dollars.
For Congressional Globe, thirty-five thousand five hundred and thirty-two dollars.
For reporting and printing the proceedings in the Daily Globe for the first session of the fortieth Congress, twenty-one thousand two hundred and fifty dollars.
For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the first session of the fortieth Congress, eight hundred dollars each, four thousand dollars.
For one complete set of the Congressional Globe and Appendix for each senator in the fortieth Congress, who has not already received them; Provided, however, That any senator who has already, as a member of the House of Representatives, received a portion of a set of the Congressional Globe shall only be entitled to receive, as such senator, the additional volumes required to complete one full set, nine thousand three hundred and seventy-five dollars.
For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and laws of the United States, fifteen thousand dollars.
For clerks to committees, pages, horses, and carryalls, fifty-five thousand seven hundred and fifty dollars.
For capitol police, twenty-five thousand five hundred dollars.
For expenses of heating and ventilating apparatus, twenty-five thousand dollars.
For miscellaneous items, thirty thousand dollars.
For compensation and mileage of members of the House of Representatives and delegates from Territories, one million one hundred thousand dollars.
For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz: Clerk of the House of Representatives, four thousand three hundred and twenty
Pay of officers and clerks of the House of Representatives


Capitol police.

Contingent expenses of House. Cartage.

Clerks to committees and temporary clerks. Globe and Appendix.

Sets to new representatives and delegates.

Notice to terminate the purchase of sets.

dollars; chief clerk and one assistant clerk, two thousand five hundred and ninety-two dollars each; five thousand one hundred and eighty-four dollars; twelve assistant clerks, (including the librarian,) at two thousand one hundred and sixty dollars each, twenty-five thousand nine hundred and twenty dollars; one chief messenger, and messenger to the Speaker, at five dollars and seventy-six cents per day each, four thousand two hundred and four dollars and eighty cents; for three messengers, at one thousand four hundred and forty dollars each, four thousand three hundred and twenty dollars; one engineer, eighteen hundred dollars; three assistant engineers, at one thousand four hundred and forty dollars each, four thousand three hundred and twenty dollars; six firemen, at two dollars and forty cents each per day, five thousand two hundred and fifty-six dollars; for clerk to committee of ways and means, two thousand five hundred and ninety-two dollars; clerk to committee on appropriations, two thousand five hundred and ninety-two dollars; for twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the fortieth Congress, and one hundred copies of the same for the House library, thirty-seven thousand five hundred and ninety-two dollars; for paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and laws of the United States, fifteen thousand dollars.

For one complete set of the Congressional Globe and Appendix for each representative in the fortieth Congress, and each delegate, who has not received the same heretofore, thirty-seven thousand five hundred dollars: Provided, That notice is hereby given that at the close of the fortieth Congress the United States will terminate the purchase of one complete set of the Congressional Globe and Appendix for each senator.
For folding documents, including materials, forty-two thousand dollars.

For fuel and lights, including plumbing, gas fitting, repairs, and materials, fifteen thousand dollars.

For furniture, repairs, and packing boxes for members, forty thousand dollars.

For horses, carriages, and saddle horses, ten thousand two hundred and thirty dollars.

For laborers, twelve thousand eight hundred and ninety-three dollars.

For additional annual compensation to Louis Saunders, in charge of House water-closets, one hundred dollars, and for deficiency due him for the current fiscal year, one hundred dollars.

For miscellaneous items, fifty-three thousand six hundred and fifty dollars.

For newspapers, twelve thousand five hundred dollars.

For pages and temporary mail boys, sixteen thousand two hundred dollars.

For reporting and publishing proceedings in the Daily Globe, twenty-eight thousand dollars.

For stationery, twenty-seven thousand dollars.

For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House, five hundred and seventeen dollars.

For contingent expenses of his office, viz: For stationery, postage, advertising, furniture, travelling expenses, horses and wagons, and miscellaneous items, two thousand dollars.

For the public printing, four hundred and forty-three thousand eight hundred and sixty dollars.

For paper for the public printing, seven hundred and sixty-five thousand nine hundred and seventy-two dollars.

For the public binding, three hundred and fifty-one thousand three hundred and sixty-six dollars.

For mapping in cases pending in the Supreme Court of the United States, three thousand dollars.

For lithographing and engraving for the Senate and House of Representatives, seventy-five thousand dollars.

For compensation of librarian, five assistant librarians, messenger, and laborers, thirteen thousand six hundred and eighty dollars.

For twenty per centum additional on the above, twenty-seven hundred and thirty-six dollars.

For purchase of books for said library, eight thousand dollars.

For purchase of law books for said library, two thousand dollars.

For botanic garden, grading, draining, procuring manure, tools, fuel, and repairs, and purchasing trees and shrubs, under the direction of the library committee of Congress, three thousand three hundred dollars.

For pay of superintendent and assistants, and assistants in botanic garden and greenhouses, under direction of the library committee of Congress, six thousand one hundred and forty-five dollars and eighty cents.

For twenty per centum additional allowance on pay of the above, twelve hundred and twenty-nine dollars and sixteen cents.

For purchasing files of the leading periodicals and newspapers for said library, one thousand five hundred dollars.
Court of Claims. — For salaries of five judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, chief clerk and assistant clerk, bailiff and messenger thereof, thirty-seven thousand three hundred dollars.

Contingencies. For stationery, books, fuel, labor, and other contingent and miscellaneous expenses, three thousand dollars.

Attorneys to take testimony, &c. For compensation of attorneys to attend to taking testimony, witnesses, and commissioners, two thousand dollars.

Judgments. For payment of judgments which may be rendered by the court in favor of claimants, ten hundred thousand dollars.

Executive. For compensation of the President of the United States, twenty-five thousand dollars.

For compensation of secretary to sign patents for public lands, one thousand five hundred dollars.

For compensation to the private secretary, assistant secretary, shorthand writer, clerk of pardons, three clerks of fourth class, steward, and messenger of the President of the United States, eighteen thousand eight hundred dollars.

Contingencies. For contingent expenses of the Executive office, including stationery thereof, five thousand dollars.

Department of State. For compensation of the Secretary of State, and assistant secretary of state, second assistant secretary of state, examiner of claims, chief clerk, superintendent of statistics, clerks, messenger, assistant messenger, and laborers in his office, sixty-five thousand eight hundred and eighty dollars.

For the incidental and contingent Expenses of the Department of State. For publishing the laws in pamphlet form and in newspapers of the States and Territories, and in the city of Washington, twenty-five thousand dollars.

For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, four thousand dollars.

Stationery, &c. For miscellaneous items, two thousand five hundred dollars.

Copperplate printing. For copperplate printing, books, and maps, five thousand dollars.

Extra clerk hire, &c. For extra clerk hire and copying, fifteen thousand dollars.

Building occupied by State Department. For the General Purposes of the Building occupied by the State Department. For rent of said building, fifteen thousand dollars.

For alterations and improvements of the building, and for means of protection against its destruction by fire, fifteen thousand dollars.

For compensation of four watchmen and two laborers of the northeast executive building, four thousand three hundred and twenty dollars.

For contingent expenses of said building, viz: for fuel, lights, repairs, and miscellaneous expenses, ten thousand dollars.

Treasury Department. For compensation of the Secretary of the Treasury, two assistant secretaries of the treasury, chief clerk, supervising architect, and assistant architect, clerks, messengers, assistant messenger, and laborers, one hundred and eighteen thousand nine hundred and twenty dollars.

For compensation of the first comptroller, chief clerk, and the clerks, messengers, and laborers in his office, forty-eight thousand three hundred and forty dollars.

For compensation of the second comptroller, chief clerk, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and thirty-seven thousand and eighty dollars.

For compensation of the first auditor, chief clerk, and the clerks, messenger, assistant messenger, and laborer in his office, sixty thousand three hundred and sixty dollars.
For compensation of the second auditor, chief clerk, and the clerks, messenger, assistant messengers, and laborers in his office, five hundred and twenty-one thousand eight hundred and forty dollars.

For compensation of the third auditor, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office, three hundred and eighty-nine thousand and eighty dollars.

For compensation of the fourth auditor, chief clerk, and the clerks, messenger, and assistant messenger, and laborer in his office, one hundred and ten thousand nine hundred and sixty dollars.

For compensation of the fifth auditor, chief clerk, and the clerks, messenger, and laborer in his office, forty-nine thousand nine hundred and twenty dollars.

For compensation of the auditor of the treasury for the Post-Office Department, chief clerk, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and ninety-three thousand dollars.

For compensation of the treasurer of the United States, assistant treasurer, cashier, assistant cashier, chiefs of division, book-keepers, tellers, assistant tellers, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office, one hundred and eighty-nine thousand and eighty dollars.

For compensation of the register of the treasury, assistant register, chief clerk, and the clerks, messengers, assistant messenger, and laborers in his office, ninety-one thousand five hundred and twenty dollars.

For compensation of the solicitor of the treasury, assistant solicitor, chief clerk, and the clerks, laborer, and messenger in his office, one hundred and twenty thousand dollars.

For compensation of the commissioner of customs, chief clerk, and the clerks, messenger, and laborer in his office, forty thousand nine hundred and twenty dollars.

For compensation of the comptroller of the currency, deputy comptroller, clerks, messengers, and laborers, one hundred and twenty thousand dollars.

For salaries of commissioner, deputy commissioners, solicitor, heads of divisions, and clerks of internal revenue office, three hundred and forty-nine thousand four hundred and fifty dollars.

For rent, dies, paper, and so forth, for stamps and incidental expenses, including the cost of subscriptions of such numbers of copies of the internal revenue records and customs journals as the Secretary of the Treasury may deem necessary to supply the revenue offices, two hundred and fifty thousand dollars.

For salaries and expenses of collectors, assessors, assistant assessors, revenue agents, inspectors, and superintendents of exports and drawback, together with the expense of carrying into effect the various provisions of the several acts providing internal revenue, excepting items otherwise estimated for, six million dollars: Provided, That no assessor or collector shall be entitled to any portion of the salary pertaining to the office unless such assessor shall have been confirmed by the Senate, except in cases of commissions to fill vacancies which may have happened by death or resignation during the recess of the Senate.

Contingent Expenses of the Treasury Department.—In the office of the Secretary of the Treasury:

For copying, labor, binding, sealing ships' registers, translating foreign
languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, ten thousand dollars.

Additional clerks, &c.

For compensation of additional clerks who may be employed by the secretary according to the exigencies of the public service, and additional compensation for extra labor of clerks in his office, five thousand dollars.

Janitors.

For janitors for the treasury department, fifteen thousand dollars.

Contingent expenses in office of 1st comptroller;

In the office of the first comptroller:

For furniture, public documents, state and territorial statutes, and miscellaneous items, one thousand dollars.

Of 2d comptroller;

In the office of the second comptroller:

For contingent expenses of the office, one thousand dollars.

Of 1st auditor;

In the office of the first auditor:

For stationery, office furniture, and miscellaneous items, one thousand five hundred dollars.

Of 2d auditor;

In the office of the second auditor:

For stationery, office furniture, and miscellaneous items, including two newspapers to be filed and preserved for the use of the office, twenty-five thousand dollars.

Of 4th auditor;

In the office of the fourth auditor:

For contingent expenses of the office, three thousand dollars.

Of 5th auditor;

In the office of the fifth auditor:

For stationery, postage, furniture, and miscellaneous expenses, in which are included two daily newspapers, two thousand dollars.

Of auditor for Post-Office Department;

In the office of the auditor for the Post-Office Department:

For contingent expenses of the office, ten thousand dollars.

Of treasurer;

In the office of the treasurer:

For contingent expenses of the office, seven thousand dollars.

Of register;

In the office of the register:

For miscellaneous items, including office furniture, six thousand dollars.

Of solicitor;

Office of the solicitor of the treasury:

For blank books, binding, stationery, labor, and miscellaneous items, and for statutes and reports, and for care of library, four thousand two hundred dollars.

Of commissioner of customs;

Office of the commissioner of customs:

For stationery, miscellaneous items, and office furniture, fitting up files, and safe for depositing official bonds, five thousand dollars.

Of lighthouse board;

Lighthouse board, viz:

For miscellaneous expenses and postage, one thousand five hundred dollars.

Of comptroller of currency;

Office of the comptroller of the currency:

For contingent expenses of the office, five thousand dollars.

Of commissioner of internal revenue;

Office of the commissioner of internal revenue:

For office furniture, maps, labor, miscellaneous items, and other contingent expenses, fifty thousand dollars.

Bureau of Statistics. — For contingent expenses, namely, laborers, office furniture, carpets, fitting up files, and miscellaneous items, four thousand dollars.

For the collection of statistics of mines and minings, fifteen thousand dollars.

Stationery for department and bureaus.

For stationery for the treasury department and the several bureaus, one hundred thousand dollars.

Southeast executive building.

For the General Purposes of the Southeast Executive Building, including the Extension. — For compensation of twelve watchmen and eleven laborers of the southeast executive building, sixteen thousand five hundred and sixty dollars.

For contingent expenses of said building, viz: for fuel, light, labor, and miscellaneous items, one hundred thousand dollars.

For rent of buildings for the accommodation of clerks who cannot be accommodated in the treasury building, two thousand dollars.
Department of the Interior.—For compensation of the Secretary of the Interior, assistant secretary, chief clerk, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-eight thousand seven hundred dollars.

For compensation of the commissioner of the general land office, chief clerk, recorder, draughtsman, assistant draughtsmen, clerks, messengers, assistant messengers, packers, watchmen, and laborers in his office, one hundred and seventy-eight thousand two hundred dollars.

For compensation of additional clerks in the general land office, under the act of third March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand six hundred and forty dollars: Provided, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum: And provided further, That such work shall be given only to persons in indigent circumstances, and to the soldiers and to the widows of soldiers who served in the Union army during the late rebellion, and to be done only by the employee in person.

For compensation of the commissioner of Indian affairs, chief clerk, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-two thousand six hundred dollars.

For compensation of the commissioner of pensions, chief clerk, and the clerks, messengers, assistant messengers, watchmen, and laborers in his office, two hundred and sixteen thousand nine hundred and twenty dollars.

For additional clerks in the pension office, forty-one thousand dollars: Provided, That the Secretary of the Interior, at his discretion, shall be, and is hereby, authorized to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

Contingent Expenses—Department of the Interior.—Office of the Secretary of the Interior:

For stationery, furniture, and other contingencies, and for books and maps for the library, ten thousand dollars.

For casual repairs of the patent-office building, including the laying of a pavement on the old wing, twenty thousand dollars.

For expenses of packing and distributing congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars.

For fuel and lights for the patent-office building, including the salaries of engineer and assistant engineer of the furnaces and repairs of the heating apparatus, eighteen thousand dollars.

Office of the commissioner of Indian affairs:

For blank books, binding, stationery, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, five thousand dollars.

Office of the commissioner of pensions:

For stationery, engraving, and retouching plates for bounty land warrants, printing and binding the same, office furniture, and repairing the same, and miscellaneous items, including two daily newspapers, to be filed, bound, and preserved for the use of the office, and for detection and investigation of fraud, twenty-two thousand dollars.

Office of the commissioner of public buildings:

For compensation of the commissioner of public buildings, and the clerk and messenger in his office, four thousand seven hundred dollars.

For stationery, blank books, plans, drawings, and other contingent expenses of his office, five hundred dollars.
Surveyors-General and their Clerks.—For compensation of the surveyor-general of Minnesota, and the clerks in his office, eight thousand three hundred dollars.

For compensation of the surveyor-general of the territories of Dakota and Montana, and the clerks in his office, six thousand three hundred dollars.

For compensation of the surveyor-general of Kansas, and the clerks in his office, seven thousand dollars.

For compensation of the surveyor-general of Iowa and Nebraska, declared a surveying district by the act of Congress entitled "An act to remove the office of surveyor-general of the States of Iowa and Wisconsin to Plattsmouth, Nebraska," approved July twenty-eighth, eighteen hundred and sixty-six, which is fixed at two thousand dollars per annum, and the clerks in his office, seven thousand dollars.

For compensation of the surveyor-general of the territories of Colorado and Utah, and the clerks in his office, seven thousand dollars.

For compensation of the surveyor-general of New Mexico and Arizona, three thousand dollars.

For compensation of the surveyor-general of California and the clerks in his office, fourteen thousand dollars.

For compensation of the surveyor-general of Idaho Territory and the clerks in his office, five thousand dollars.

For compensation of the surveyor-general of Nevada and the clerks in his office, seven thousand dollars.

For compensation of the surveyor-general of Oregon, and the clerks in his office, six thousand five hundred dollars.

For compensation of the surveyor-general of Washington Territory, and the clerks in his office, four thousand six hundred and nine dollars.

For compensation of recorder of land titles in Missouri, five hundred dollars.

Rent of Surveyors-General's Office.—For rent of surveyor-general's office in Oregon, fuel, books, stationery, and other incidental expenses, including pay of messenger, fifteen hundred dollars.

For rent of surveyor-general's office in California, fuel, books, stationery, and other incidental expenses, including pay of messenger, fifteen hundred dollars.

For rent of surveyor-general's office of Colorado and Utah territories, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office for the surveyor-general of Idaho, two thousand dollars.

For rent of office for the surveyor-general of Nevada, two thousand dollars.

[Expenses of Courts of the United States.]—For defraying the expenses of the Supreme Court and district courts of the United States, including the District of Columbia, and also for jurors and witnesses, in aid of funds arising from fines, penalties, and forfeitures, in the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, and previous years, and likewise for defraying the expenses of suits in which the United States are concerned, including legal assistance to the Attorney-General, and other
special and extraordinary expenditures in cases in the Supreme Court of
the United States in which the United States are concerned, and of prose-
cutions for offences committed against the United States, and for the safe-
keeping of prisoners, one million three hundred thousand dollars.

War Department.—For compensation of the Secretary of War, as-
sistant secretary of war, chief clerk, and the clerks, messenger, assistant
messengers, and laborer in his office, sixty-one thousand three hundred
and eighty dollars.

For compensation of the clerks and messengers in the office of the
adjudant-general, two hundred and sixteen thousand seven hundred dol-

For compensation of the clerks, messengers, assistant messengers, and
laborers, in the office of the quartermaster-general, three hundred and
ninety-nine thousand three hundred and sixty dollars.

For compensation of the clerks, messengers, assistant messengers, and
laborers in the office of the paymaster-general, two hundred and nine
and nine thousand two hundred dollars.

For compensation of the clerks, messenger, and laborers in the office
of the commissary-general, fifty-four thousand four hundred and forty
dollars.

For compensation of the clerks, messenger, and laborer in the office
of the surgeon-general, forty-three thousand eight hundred and forty dollars.

For compensation of the clerks, messengers, and laborers in the office
of the chief engineer, twenty-eight thousand eight hundred and eighty
dollars.

For compensation of the clerks and messenger in the office of the
colonel of ordnance, sixty thousand and forty dollars.

For additional compensation to employees in the offices of the Secretary
of War, adjutant-general, quartermaster-general, paymaster-general,
commissary-general, surgeon-general, chief engineer, and chief of ord-
inance, under provisions of act of July twenty-third, eighteen hundred and
sixty-six, six thousand six hundred and forty dollars.

For compensation of two clerks of class two in the signal office, two
thousand eight hundred dollars.

For compensation of one clerk of class four in the office of inspector
of military academy, one thousand eight hundred dollars.

For compensation of the clerks in the office of military justice, seven
thousand two hundred dollars.

Contingent Expenses of the War Department.—Office of the Secretary
of War:

For blank books, stationery, labor, books, maps, extra clerk hire, and
miscellaneous items, twenty thousand dollars.

Office of the adjutant-general:

For blank books, stationery, binding, and miscellaneous items, twenty-
five thousand dollars.

Office of the quartermaster-general:

For blank books, stationery, binding, and miscellaneous items, thirty-
five thousand dollars.

Office of the paymaster-general:

For blank books, stationery, binding, and miscellaneous items, ten
thousand dollars.

Office of the commissary-general:

For blank books, stationery, binding, and miscellaneous items, ten
hundred dollars.

Office of the chief engineer:

For blank books, stationery, binding, and miscellaneous items, three
hundred five hundred dollars.

Office of the surgeon-general:

For blank books, stationery, binding, and miscellaneous items, including
rent of office, fifteen thousand dollars.

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Office of the chief of ordnance;  
For blank books, stationery, binding, and miscellaneous items, five thousand dollars.

Office of military justice;  
For blank books, stationery, binding, and miscellaneous items, one thousand two hundred dollars.

For the General Purposes of the Northwest Executive Building.—For compensation of superintendent, four watchmen, and two laborers of the northwest executive building, three thousand eight hundred and fifty dollars.

For labor, fuel, light, and miscellaneous items, twenty thousand dollars.

For additional compensation to subordinate employees, under provisions of act of July twenty-third, eighteen hundred and sixty-six, seven hundred and twenty dollars.

For the General Purposes of the Building Corner of F and Seventeenth Streets.—For compensation of superintendent, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars.

For fuel, compensation of firemen, and miscellaneous items, ten thousand dollars.

For additional compensation to subordinate employees, under provisions of act of July twenty-third, eighteen hundred and sixty-six, seven hundred and twenty dollars.

For the General Purposes of the Building Corner of F and Fifteenth Streets.—For compensation of superintendent, watchmen, rent, fuel, lights, and miscellaneous items, fifteen thousand dollars.

Navy Department.—For compensation of the Secretary of the Navy, assistant secretary of the navy, solicitor and naval judge advocate-general, chief clerk, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-eight thousand eight hundred dollars.

For compensation of the chief of the bureau of yards and docks, the civil engineer, chief clerk, messenger, laborers, and the following clerks and draughtsmen, which are hereafter authorized, viz: One clerk of class four, two clerks of class three, one clerk of class two, one clerk of one, and one draughtsman, at a salary of eighteen hundred dollars per annum, sixteen thousand six hundred and forty dollars.

For compensation of the chief of the bureau of equipment and recruiting, chief clerk, and the clerks, messenger, and laborer in his office, fourteen thousand nine hundred and twenty dollars.

For compensation of the chief of the bureau of navigation, chief clerk, and the clerks, messenger, and laborer in his office, ten thousand two hundred and twenty dollars.

For compensation of the chief of the bureau of ordnance, and chief clerk, clerks, draughtsman, whose salary is hereby established at eighteen hundred dollars per annum, messenger, and laborers in his office, sixteen thousand six hundred and twenty dollars.

For compensation of the chief of the bureau of construction and repair, chief clerk, and the clerks, draughtsman, whose salary is hereby established at eighteen thousand two hundred and twenty dollars.

For compensation of the chief of the bureau of steam engineering, chief clerk, and the clerks, draughtsman, whose salary is hereby established at eighteen thousand two hundred and twenty dollars; and of one clerk of class two, which is hereby authorized, one thousand four hundred dollars.

For compensation of the chief of the bureau of provisions and clothing, chief clerk, and the clerks, messenger, and laborer, twenty-two thousand one hundred and twenty dollars.

For compensation of the chief of the bureau of medicine and surgery, assistant, and the clerks, messenger, and laborer, in his office, eleven thousand four hundred and twenty dollars.
Incidental and Contingent Expenses of the Navy Department.—Office of the Secretary of the Navy:

For stationery, labor, newspapers, periodicals, and miscellaneous items, five thousand dollars.

Bureau of yards and docks:

For stationery, books, plans, drawings, and incidental labor, one thousand eight hundred dollars.

Bureau of equipment and recruiting:

For stationery, books, and miscellaneous items seven hundred and fifty dollars.

Bureau of navigation:

For stationery, blank books, binding, and miscellaneous items, two thousand four hundred dollars.

Bureau of ordnance:

For stationery, and miscellaneous items, including three hundred dollars for photographer, one thousand three hundred dollars.

Bureau of construction and repair:

For stationery and miscellaneous items, one thousand dollars.

Bureau of steam engineering:

For blank books, binding, stationery, and miscellaneous items, two thousand five hundred dollars.

Bureau of provisions and clothing:

For blank books, stationery, and miscellaneous items, one thousand five hundred dollars.

Bureau of medicine and surgery:

For blank books, stationery, and miscellaneous items, eight hundred dollars.

For the General Purposes of the Southwest Executive Building.—For compensation of nine watchmen and two laborers of the southwest executive building, seven thousand six hundred and thirty-two dollars.

For contingent expenses of said building, viz:

For labor, fuel, lights, and miscellaneous items, seven thousand five hundred dollars.

Post-Office Department.—For compensation of the Postmaster-General, three assistant postmasters-general, chief clerk, superintendent of money-order system, topographer, three chief clerks, and the clerks, (including forty-three female clerks, at nine hundred dollars each,) messenger, assistants, &c. assistant messengers, watchmen and laborers of said department, two hundred and seventy-three thousand one hundred and sixty dollars.

For additional compensation to subordinate employees, under the provisions of act of July twenty-three, eighteen hundred and sixty-six, two thousand one hundred and forty dollars.

For additional and temporary clerks, forty thousand dollars.

Contingent Expenses of the Post-Office Department.—For blank books, binding, and stationery, fuel for the general post-office building, including the auditor's office, oil, gas, and candles, printing, repair of the general post-office building, office furniture, glazing, painting, whitewashing, and for keeping the fireplaces and furnaces in order, for engineer for steam engine, laborers, watchmen, repairs of furniture, and for miscellaneous items, fifty-six thousand dollars.

Department of Agriculture.—For compensation of commissioner of agriculture, chief clerk, entomologist, chemist, and the clerks and employees in his office, thirty-eight thousand and twenty dollars.

For contingencies, viz: For stationery, freight, purchase of library, laboratory, fuel, light, rent, and miscellaneous items, thirteen thousand dollars.

For collecting agricultural statistics for annual and monthly reports, ten thousand dollars.

For purchase and distribution of new and valuable seeds, viz: Purchase and
For purchase of cereal, vegetable, and flower seeds, and for labor in
putting up seeds, seed bags, and miscellaneous items, eighty thousand dol-
ners: Provided, That the commissioner of agriculture shall only purchase
and distribute with the fund herein appropriated for that purpose, such
seeds as are rare and uncommon to the country, or such as can be made
more profitable by frequent changes from one part of our own country to
another: Provided, That the commissioner shall, on or before the fifteenth
day of December in each year hereafter, make a report, in detail, to Con-
gress, of all moneys expended by him.

For the purchase of the Glover Museum, ten thousand dollars.

For employees in seed room, five thousand two hundred dollars.

For propagation and distribution of plants, cuttings, and shrubs, four-
teen thousand dollars: Provided, That the propagation of plants, cuttings,
and shrubs shall be confined to such as are adapted to general cultivation,
and to promote the general interests of horticulture and agriculture
throughout the United States.

For experimental garden in reservation number two, eight thousand
eight hundred dollars.

For the purchase of the Glover Museum, ten thousand dollars.

For employees in seed room, five thousand two hundred dollars.

For propagation and distribution of plants, cuttings, and shrubs, four-
teen thousand dollars: Provided, That the propagation of plants, cuttings,
and shrubs shall be confined to such as are adapted to general cultivation,
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teen thousand dollars: Provided, That the propagation of plants, cuttings,
and shrubs shall be confined to such as are adapted to general cultivation,
and to promote the general interests of horticulture and agriculture
throughout the United States.

For experimental garden in reservation number two, eight thousand
eight hundred dollars.
For additional salary of the treasurer of the branch mint at San Francisco, California, fifteen hundred dollars: Provided, That there shall be no increase of salary in the foregoing paragraphs relating to the independent treasury over that allowed by existing laws.

For salaries of the clerks and messengers in the office of assistant treasurer at Boston, twenty-five thousand two hundred dollars.

For salaries of clerks, messengers, and watchmen in the office of the assistant treasurer at Philadelphia, eighteen thousand three hundred dollars.

For salaries of additional clerks in the office of the assistant treasurer at Philadelphia, six thousand five hundred and eighty-five dollars.

For salaries of clerks, messengers, and watchmen in the office of the assistant treasurer at New York, one hundred and twenty-six thousand one hundred and twenty dollars.

For salaries of clerks, messenger, and watchmen in the office of the assistant treasurer at St. Louis, nine thousand seven hundred and sixty dollars.

For additional salaries to the messenger, at four hundred dollars per annum, and to the four watchmen, at one hundred dollars per annum each, in the office of the assitant treasurer at St. Louis, eight hundred dollars.

For salary of the clerk to the acting assistant treasurer at Denver, one thousand eight hundred dollars.

For salaries of clerks and watchmen in the office of the depositary at Louisville, five thousand nine hundred and forty dollars.

For salaries of clerks in the office of the depositary at Cincinnati, ten thousand two hundred dollars.

For compensation to designated depositaries, under fourth section of the act of August sixth, eighteen hundred and forty-six, for the collection, safe-keeping, transfer, and disbursement of the public revenue, eight thousand dollars.

For compensation to special agents to examine the books, accounts, and money on hand at the several depositories, under act of the sixth of August, eighteen hundred and forty-six, eight thousand dollars.

For salaries of ten supervising and fifty-nine local inspectors, appointed under act of the thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers by steamboats, with travelling and other expenses incurred by them, including the expenses of their annual meeting, and for a more thorough investigation of the causes of disaster to vessels propelled in whole or in part by steam, and for prosecutions for violations of the said act and the acts amendatory thereto, one hundred and ten thousand dollars.

For contingent expenses under the act of the sixth of August, eighteen...
Contingent expenses.
No part for clerical services.
Checks and certificates of deposit.
Governments in the Territories.

Territory of New Mexico. — For salaries of governor, chief justice, and two associate judges, and secretary, twelve thousand dollars.
For contingent expenses of said Territory, one thousand five hundred dollars.
For interpreter and translator in the executive office, five hundred dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Utah; Territory of Utah. — For salaries of governor, chief justice, two associate judges, and secretary, twelve thousand dollars.
For contingent expenses of the Territory, one thousand five hundred dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Washington; Territory of Washington. — For salaries of governor, chief justice, two associate judges, and secretary, twelve thousand five hundred dollars.
For contingent expenses of said Territory, one thousand five hundred dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerk, and contingent expenses of the assembly, twenty thousand dollars.

Nebraska; Territory of Nebraska. — For salaries of governor, chief justice, two associate judges, and secretary, ten thousand five hundred dollars.
For contingent expenses of said Territory, one thousand dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Colorado; Territory of Colorado. — For salaries of governor and superintendent of Indian affairs, chief justice and two associate judges, each twenty-five hundred dollars, which is hereby authorized, and secretary, eleven thousand eight hundred dollars.
For contingent expenses of said Territory, one thousand dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Dakota: Territory of Dakota. — For salaries of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, nine thousand seven hundred dollars.
For contingent expenses of the Territory, one thousand dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, fifteen thousand dollars.

Arizona; Territory of Arizona. — For salaries of governor, chief justice, and two associate judges, and secretary, twelve thousand dollars.
For contingent expenses of the Territory, one thousand dollars.
For interpreter and translator in the executive office, five hundred dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.
Territory of Idaho.—For salaries of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Montana.—For compensation of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses, twenty thousand dollars.

JUDICIARY.

Office of the Attorney-General.—For salaries of the Attorney-General, assistant attorney-general, law clerk, and chief clerk, and the clerks and messenger in his office, twenty-seven thousand five hundred dollars.

For additional compensation to one messenger, under provisions of act of July twenty-three, eighteen hundred and sixty-six, one hundred dollars.

Contingent expenses of the office of the Attorney-General, namely:

For fuel, labor, furniture, stationery, and miscellaneous items, seven thousand dollars.

For purchase of law and necessary books for the office of the Attorney-General, one thousand dollars.

For the purchase of reports of the Supreme Court of the United States, for the use of the Department of State, one thousand dollars.

Justices of the Supreme Court of the United States.—For salaries of the Chief Justice and seven associate justices, forty-eight thousand five hundred dollars.

For one associate justice, six thousand dollars.

For travelling expenses of the judge assigned to the ninth circuit for attending session of the Supreme Court of the United States, one thousand dollars.

For salaries of the district judges of the United States, one hundred and twenty-one thousand five hundred dollars.

For salaries of the chief justice of the Supreme Court of the District of Columbia, the associate judges, and judge of the orphans' court, nineteen thousand dollars.

For salary of the reporter of the decisions of the Supreme Court of the United States, two thousand five hundred dollars.

For the purchase of reports of the Supreme Court of the United States for the use of the Department of State, one thousand dollars.

For compensation of the district attorneys, eighteen thousand five hundred and fifty dollars.

For compensation of the district marshals, eleven thousand three hundred dollars.

For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of treasury notes, two million dollars.

For facilitating communication between the Atlantic and Pacific States by electrical telegraph, forty thousand dollars.

For expenses in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds, and other securities of the United States, as well as the coins of the United States, one hundred and fifty thousand dollars.

For supplying deficiency in the fund for the relief of sick and disabled seamen, two hundred and fifty thousand dollars.

For salaries of commissioners under “An act to provide for the re-
vision and consolidation of the statute laws of the United States," approved June twenty-seventh, eighteen hundred and sixty-six, and for clerical and other incidental expenses, the printing to be done by the government printing office, seventeen thousand dollars.

For compensation to the laborer in charge of the water-closets in the capitol, five hundred and thirty-eight dollars.

For compensation of four laborers in the capitol, two thousand four hundred dollars.

For compensation to the public gardener, one thousand four hundred and forty dollars.

For compensation of a foreman and twenty-one laborers employed in the public grounds, thirteen thousand four hundred dollars.

For compensation of the keeper of the western gate, capitol square, eight hundred and seventy-six dollars.

For compensation of two day watchmen employed in the capitol square, one thousand eight hundred dollars.

To enable the commissioner of public buildings to pay two policemen at the President's house, twenty-six hundred and forty dollars.

For compensation of the doorkeeper at the President's house, one thousand dollars.

For compensation of two watchmen at the President's house, eighteen hundred dollars.

For compensation of three watchmen on the dome, two thousand seven hundred dollars.

For compensation of a person to take care of the heating apparatus of the library of Congress, one thousand dollars.

For compensation of assistant doorkeeper at the President's house, six hundred dollars.

For compensation of one night watchman at the public stables and carpenters' shops south of the capitol, one thousand dollars.

For compensation of five watchmen in reservation number two, four thousand five hundred dollars.

For compensation of eight draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, seven thousand five hundred and fifty-three dollars and sixty cents.

For compensation of two draw-keepers at the two draw-bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand three hundred and ninety-six dollars.

For compensation of furnace-keeper under the old hall of the House of Representatives, six hundred dollars.

For compensation of watchman in Franklin Square, nine hundred dollars.

For compensation of furnace-keeper at the President's house, six hundred dollars.

For additional compensation of one hundred dollars each to six watchmen, at nine hundred dollars; and of twenty per centum of five laborers in the capitol, one foreman and twenty-one laborers on public grounds, one gate-keeper, two day and two night watchmen, and two furnace-keepers, four thousand seven hundred and sixty-two dollars and eighty cents.

Metropolitan Police. — For salaries and other necessary expenses of the metropolitan police for the District of Columbia, two hundred and eight thousand eight hundred and fifty dollars. And the compensation of said metropolitan police force, officers, and clerks, be, and the same is hereby, increased fifty per centum upon the amount hereby appropriated, commencing on the first day of July, eighteen hundred and sixty-seven, said increase to be borne by the cities of Washington and Georgetown, and the county of Washington, in the District of Columbia, in the proportion equal to the number of patrolmen allotted severally to the city of
Washington, to the city of Georgetown, and the county of Washington, beyond the limits of the said city, and the levy court of said county be and they are hereby, authorized and required to levy a special tax not exceeding one quarter of one per centum for the purpose aforesaid: Provided, That hereafter no person shall be appointed as policeman or watchman who has not served in the army or navy of the United States and received an honorable discharge.

SEC. 2. And be it further enacted, That the proviso contained in the third section of chapter two hundred and ten of the act of July second, eighteen hundred and sixty-four, shall be construed to embrace all suits color to which the United States shall be a party in the court of claims, either plaintiff or defendant.

SEC. 3. And be it further enacted, That the Secretary of War is hereby authorized to direct a geological and topographical exploration of the territory between the Rocky Mountains and the Sierra Nevada mountains, including the route or routes of the Pacific railroad: Provided, That the same can be done out of existing appropriations.

APPROVED, March 2, 1867.

CHAP. CLXVII — An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending June thirtieth, eighteen hundred and sixty-eight, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-eight, viz: —

Survey of the Coast. — For the survey of the Atlantic and Gulf coasts of the United States, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed in the work, two hundred and fifty thousand dollars.

For continuing the survey of the western coast of the United States, including compensation of civilians engaged in the work, one hundred and thirty thousand dollars.

For continuing the survey of the South Florida reefs, shoals, keys, and coast, including compensation of civilians engaged in the work, and excluding pay and emoluments of the officers of the army and navy, and petty officers and men of the navy employed in the work, twenty-five thousand dollars.

For publishing the observations made in the progress of the coast survey of the United States, including compensation of civilians employed in the work, five thousand dollars.

For repairs and maintenance of the complement of vessels used in the coast survey, thirty thousand dollars.

For pay and rations of engineers for four steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department, ten thousand dollars.

Lighthouse Establishment. — For the Atlantic, Gulf, Lake, and Pacific coasts, viz: —

For supplying the lighthouses and beacon-lights with oil, wicks, glass chimneys, chamois skins, whiting, spirits of wine, polishing powder, cleaning towels, brushes, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus, two hundred and forty-six thousand seven hundred and seventeen dollars.

For repairs and incidental expenses, improving and refitting light-houses and buildings connected therewith, two hundred and five thousand dollars.
Lighthouse establishment.

For salaries of five hundred and eighty-nine keepers of lighthouses and lighted beacons, and their assistants, two hundred and fifty-four thousand dollars.

For salaries of forty-three keepers of light-vessels, twenty-four thousand nine hundred dollars.

For seamen's wages, repairs, supplies, and incidental expenses of forty-three light-vessels, two hundred and seventy-one thousand seven hundred and thirty-nine dollars and fifty cents.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of beacons and buoys, and for chains and sinkers for the same, two hundred and twenty-two thousand three hundred and fifty dollars.

For repairs and incidental expenses of refitting and improving fog-signal and buildings connected therewith, twenty thousand dollars.

For expenses of visiting and inspecting lights and other aids to navigation, two thousand dollars.

Commissions.

For commissions at two and one half per centum to such superintendents as are entitled to the same under the provisions of the acts of March third, eighteen hundred and fifty-four [one], on the amount that may be disbursed by them, twelve thousand dollars.

Wharf, &c at Wood's Hole.

For repairs to the wharf and buildings at the buoy depot, Wood's Hole, Massachusetts, twelve thousand dollars.

Connemicut Point.

For enabling the lighthouse board to make such alterations in the day-beacon at Connemicut Point, Providence river, as to fit it for the exhibition of a light, fifteen thousand dollars.

Repairs at various stations.

For repairs and renovations at the following stations, viz: Point Aux Roches, Black Rock, Plum Island, Burlington Beacons, Princess Bay, and Point Judith, twenty-four thousand two hundred dollars.

For rebuilding Cumberland Head lighthouse upon a more eligible site, eighteen thousand dollars.

For rebuilding the lighthouse at Saugerties, New York, and suitably protecting it, twenty-five thousand dollars.

Stuyvesant.

For rebuilding Stuyvesant lighthouse, New York, and suitably protecting it, twenty-five thousand dollars.

Sands's Point.

For repairs and renovations at Sands's Point light-station, New York, nine thousand four hundred dollars.

Execution Rocks.

For repairs and renovations at Execution Rocks light-station, including a fog-signal, nineteen thousand dollars.

Great Captain's Island.

For repairs and renovations at Great Captain's Island light-station, twelve thousand dollars.

Norwalk Island.

For repairs and renovations at Norwalk Island light-station, twelve thousand dollars.

Old Field Point.

For repairs and renovations at Old Field Point light-station, twelve thousand dollars.

Eaton's Neck.

For repairs and renovations at Eaton's Neck light-station, eleven thousand eight hundred dollars.

Little Gull Island.

For repairs and renovations at Little Gull Island light-station, including a fog-signal, fourteen thousand five hundred dollars.

Cedar Island.

For rebuilding Cedar Island light-station, and suitably protecting it, twenty-five thousand dollars.

North Brother Island.

For additional appropriation for a new lighthouse on North Brother Island or vicinity, East river, New York, seven thousand five hundred dollars.

Lighthouse depot, Staten Island.

For construction of a vault for the storage of oil at the lighthouse depot, Staten Island, New York, twenty thousand eight hundred and sixty-one dollars.

For repairs and renovations at the breakwater which protects the lighthouse establishment property at Staten Island, New York, twenty-seven thousand dollars.
For repairs and renovations to the sea-wall at lighthouse depot, Staten Island, New York, eighteen thousand dollars.

For landing wharf, roadway, and coal-shed, at the Staten Island depot, fifteen thousand dollars.

For workshops for lampists, blacksmiths, coopers, at Staten Island depot, fifteen thousand dollars.

For repairs and renovations at Morgan's Point light-station, twelve thousand dollars.

For tramways, grading, and fences and dredging at the Staten Island depot, eight thousand dollars.

For protection of the lighthouse site at Absecon, New Jersey, five thousand dollars.

For rebuilding the lighthouse at Egg Island, New Jersey, fifteen thousand dollars.

For repairs and renovations at Morgan's Point light-station, twelve thousand dollars.

For constructing a buoy-shed at the lighthouse depot, Staten Island, New York, three thousand seven hundred and eighty-eight dollars.

For a beacon-light at Somers's Cove, Maryland, ten thousand dollars.

For rebuilding the first-class lighthouse at Cape Hatteras, North Carolina, seventy-five thousand dollars.

For repairs and renovations at Tybee Island light-station, in addition to former appropriations, thirty-four thousand four hundred and forty-three dollars.

For rebuilding the lighthouse at Cape Canaveral, Florida, and fitting it up with a first order catadioptric illuminating apparatus, in addition to former appropriations, twenty-one thousand four hundred and seventy dollars.

For repairs and renovations at Pensacola light-station, twenty thousand dollars.

For repairing the Mobile Point lighthouse, which the lighthouse board are hereby authorized to do upon a more eligible site, if such can be found, twenty thousand dollars.

For repairs and renovations of the following light-stations, viz: East Pascagoula, Tchefuncti, Pass Manchac, Bayou Saint John, and Choctaw Point, fifty-three thousand five hundred dollars.

For beacon-light on Sister Island, Saint Lawrence River, ten thousand dollars.

For additional appropriation for range-lights at Maumee Bay, Ohio, five thousand dollars.

For repairs and renovations at Bayley's Harbor light-station, Michigan, fifteen thousand dollars.

For repairing the keeper's dwelling at Presque Isle light-station, Lake Huron, seven thousand five hundred dollars.
For rebuilding the keeper's dwelling at Thunder Bay Island light-station, Lake Huron, eight thousand dollars.

For rebuilding the keeper's dwelling at Muskegon light-station, Lake Michigan, eight thousand dollars.

For additional appropriation for a beacon-light on Sand Point, west side of Little Bay de Noquet, Michigan, nine thousand dollars.

For an efficient fog-signal at Point Conception, California, six thousand dollars.

To enable the lighthouse board to re-establish lights and other aids to navigation on the Southern coast, one hundred thousand dollars.

For compensation of two superintendents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars.

For compensation of fifty-four keepers of stations, at two hundred dollars each, ten thousand eight hundred dollars.

For contingencies of life-saving stations on the coast of the United States, ten thousand dollars.

For the establishment of a lighthouse at Santa Cruz, California, ten thousand dollars; Point Reyes, fifteen thousand dollars.

For a lighthouse at Trowbridge Point, in Thunder Bay, Michigan, ten thousand dollars.

For a lighthouse at Mendota, on Lake Superior, Michigan, fourteen thousand dollars.

For a lighthouse at or near Braddock's Point, Georgia, in place of Caliboque light vessel, fifteen thousand dollars.

For a lighthouse to mark Tybee Island Knoll, Georgia, in place of light-vessel, fifteen thousand dollars.

For range-lights on Morris Island, as guides in crossing Charleston Bar, South Carolina, fifteen thousand dollars.

For rebuilding lighthouse on Deep Water Shoals, in James river, Virginia, sixteen thousand dollars.

For rebuilding lighthouse tower and keeper's dwelling at Saint Simon's, Georgia, forty-five thousand dollars.

For a reappropriation of the amount heretofore appropriated for an iron lighthouse at Southwest Pass, but which has been carried to the surplus fund, one hundred and eight thousand six hundred dollars.

For a new lighthouse at Punta Arenas, California, sixty-five thousand dollars.

For a new lighthouse at Cape Blanco, Oregon, seventy-five thousand dollars.

To enable the Secretary of the Treasury to pay to the estate of Charles H. Peaslee, deceased, late collector of customs at Boston, a balance remaining due him upon settlement of his accounts, seven thousand five hundred and nineteen dollars and twenty-four cents.

For erecting a barge office at New York, fifty thousand dollars.

For the purchase of the stone building and lot at Suspension Bridge, New York, now used for government purposes, six thousand dollars.

For rebuilding the custom-house at Wiscasset, Maine, with authority to the Secretary of the Treasury to sell the present site and purchase a new one, if deemed for the public interest, twenty-five thousand dollars.

For fitting up certain rooms in the unfinished portion of the custom-house building in New Orleans, Louisiana, ten thousand dollars.

To reconstruct chimneys and flues in the patent-office building, eight thousand dollars.

For continuing the work on the north portico of the patent-office building, seventy-five thousand dollars.
For continuing the work on the capitol extension, two hundred and fifty thousand dollars.

For the dome of the capitol, fifteen thousand dollars.

For the purpose of paying the total liabilities of the census office, exclusive of the amount claimed to be due to the United States marshals and their assistants, eight hundred and ninety dollars and sixty-four cents.

For repairs to marine hospital at Louisville, Kentucky, ten thousand dollars.

For a custom-house in Newport, Vermont, ten thousand dollars.

For purchase of a site and the erection of a building for a custom-house and post-office at Machias, Maine, twenty thousand dollars.

For custom-house and post-office at Astoria, Oregon, twenty-five thousand dollars: Provided, That vessels may load and unload at the city of Portland, in said State, under such regulations as may be prescribed by the Secretary of the Treasury.

For constructing fire-proof appraisers' stores on the property known as the Pennsylvania Bank building, and belonging to the government, Philadelphia, Pennsylvania, fifty thousand dollars.

For repairs and preservation of custom-houses and other public buildings, twenty-five thousand dollars.

For repairs of the building used as the custom-house and post-office at Middletown, Connecticut, six thousand dollars; and for the erection, under the direction of the lighthouse board, of an iron spindle on Success Rock, Long Island Sound, five hundred dollars, or so much thereof as shall be necessary.

For the payment of fixtures and furniture furnished to said office, six hundred dollars.

For furniture and repairs of furniture of custom-houses and other public buildings, twenty-five thousand dollars.

For burglar and fire proof vaults and safes for depositories, twenty thousand dollars.

For replacing galvanized iron roofs with copper or slate roofs, twenty-five thousand dollars.

For furniture, carpets, and miscellaneous expenses of treasury buildings, thirty-five thousand dollars.

To defray the expenses of a survey of a tract of land for a park and site for a presidential mansion, made under the resolution of the Senate requesting the same, two thousand five hundred dollars.

For heating apparatus for public buildings, twenty-five thousand dollars.

For United States court-house and post-office at Des Moines, Iowa, eighty-five thousand dollars.

For the completion of the approaches and fencing to the treasury building, fifty thousand dollars.

For continuation of the treasury extension, fifty thousand dollars.

For repairs and alterations in the New York custom-house, thirty thousand dollars.

For furniture and repairs of the same, seven thousand dollars.

To enable the Secretary of the Interior to purchase thirty copies of the first nine volumes of the United States Statutes at Large, nine hundred and forty-five dollars.

To enable the Secretary of the Interior to adjust and settle the accounts of James Tufts for enumerating the inhabitants of the Territory of Montana, under the direction of the governor of said Territory, as authorized by the act of May twenty-sixth, eighteen hundred and sixty-four, entitled "An act to provide a temporary government for the Territory of Montana," the sum of six thousand nine hundred and ninety-six dollars, or so much thereof as may be necessary.
Heating Supreme Court room.

For heating with steam the Supreme Court room, law library, and the passages and stairways adjacent [to] the court-room, and for other improvements and repairs of said court-room, fifteen thousand dollars.

Extra clerks.

For the compensation of eight extra clerks of class two in the office of the commissioner of Indian affairs, eleven thousand two hundred dollars.

Lewis Heyl.

To enable the Secretary of the Treasury to pay to Lewis Heyl for compiling statutes prescribing the rates of duties on imports, and making an index to the tariff bill now pending, one thousand dollars.

Public Buildings and Grounds.

For care, support, and medical treatment of sixty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, under a contract to be formed with such institution by the commissioner of public buildings, twelve thousand dollars, or so much thereof as may be necessary.

Carts and tools.

For hire of carts on the public grounds, two thousand dollars.

For purchase and repair of tools used in the public grounds, four hundred dollars.

Trees, tree-boxes, &c.

For the purchase of trees and tree-boxes, to replace, when necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

Water-pipes, stables, &c.

For annual repairs of the Capitol water-closets, public stables, water pipes, pavements, and other walks within the Capitol Square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, twelve thousand dollars, in addition to the sale of old material.

Lighting buildings, grounds and streets.

For lighting the Capitol and President's house and public grounds around them, around the executive offices and Pennsylvania Avenue, fifty-five thousand dollars.

Corporation of Washington.

For lighting Four-and-a-half Street, across the Mall, and Maryland Avenue west, and Sixth Street south, fifteen thousand dollars: Provided, that the corporation of Washington city shall light their lamps with seven-feet burner[s], twenty-one nights in each month, from dark until daylight, and that no part of this appropriation shall be disbursed until it is proved to the satisfaction of the commissioner of public buildings that said corporation have so lighted their street lamps.

Lamp-lighters, &c.

For pay of lamp-lighters, gas-fitting, plumbing, lamp-posts, lanterns, glass, paints, matches, materials and repairs of all sorts, twenty-five thousand dollars.

Bridges.

For casual repairs of the navy yard and upper bridges, six thousand dollars.

Fuel. Pennsylvania Avenue.

For fuel for the President's house, five thousand dollars.

Public reservations.

For repairs of Pennsylvania Avenue, and sprinkling the same, and keeping it clean and free from dirt, two thousand dollars.

Squares and grounds.

For improvement and taking care of public reservation number two and Lafayette Square, in addition to the sale of hay which may be raised on the former, three thousand dollars.

Water-pipes, sewer traps.

For repairs of water-pipes, five hundred dollars.

Furnaces.

For casual repairs of all the furnaces under the Capitol, five hundred dollars.

Public grounds.

For hauling manure for top-dressing the public grounds, five hundred dollars.
For purchase of fuel for the centre building of the Capitol, fifteen hundred dollars.

For taking care of the Circle on Pennsylvania Avenue, one thousand dollars.

For continuing the grading and repairing of Virginia Avenue, ten thousand dollars.

For the necessary expenses to be incurred in consequence of opening Sixth Street west across the Mall, and in making fences, two thousand dollars.

For renewing the heating apparatus at the President's house, eight thousand dollars.

For laying a new pipe from the K Street main to the Capitol, in order to supply the building at all times with a full flow of water, five thousand dollars.

To enable the commissioner of public buildings to put in thorough repair the conservatory recently injured by fire at the President's mansion, ten thousand dollars.

For the construction of a new greenhouse, with central dome and a wing, to correspond in size with the present greenhouse in the Botanic Garden, to be built of iron and glass according to a plan prepared by the architect of the capitol extension, and approved by the joint committee on the library, thirty-five thousand dollars; the same to be expended under the direction of the joint committee on the library of Congress.

For enabling the commissioner to cause the old and useless lightning-rods on the President's house to be removed, and Hawley's improved patented conductors substituted for them, two hundred and fifty dollars.

For enabling the commissioner to employ a suitable electrician to take care of and operate the lighting apparatus of the dome of the capitol, twelve hundred dollars.

For repairing in front of the War Department on Pennsylvania Avenue and on Seventeenth Street with stone flagging, sixteen thousand dollars.

For annual repairs of the President's house, six thousand dollars.

For top-dressing for public grounds and cartage for same, one thousand five hundred dollars.

For purchase of tools for public grounds, five hundred dollars.

For purchase of flower-pots, mats, glasses, putty, wire, twine, and so forth, for use on the greenhouses, one hundred dollars.

For the removal of the foot-bridge on Maine Avenue, now of no further use at that point, to Third Street west, which the commissioner of public buildings is hereby directed to have done, three hundred dollars.

To complete the culvert through the Botanic Garden, fifteen thousand dollars.

For removing snow and ice from pavements and public walks, three hundred dollars.

For manure and cartage of the same for Smithsonian grounds and public reservations, one thousand dollars.

For completing the improvement of Franklin Square, gravelling walks and deepening the same, and purchasing and planting trees and shrubbery, five thousand dollars.

For improvement of reservations on New York, Massachusetts, Vermont, and Maryland avenues, the same being now enclosed, manure, trenching, the purchase of trees and shrubbery, four thousand dollars.

For further improvement of the Circle on Pennsylvania Avenue, six hundred dollars.

For purchase and planting of trees and boxes for the same, replacing
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Streets and squares.

For painting the iron fences around Lafayette Square, in front of the War and Navy Departments, in front of the executive mansion, and the government portion of the fence around Judiciary Square, five thousand dollars.

For new crossings on Pennsylvania Avenue, five thousand dollars.

For annual repairs of fences around the public reservations, one thousand dollars.

For lighting the rotunda of the capitol with gas, by a branch from the electric battery which lights the dome, three thousand dollars.

Historical Library of Peter Force

For painting the iron fences around Lafayette Square, in front of the War and Navy Departments, in front of the executive mansion, and the government portion of the fence around Judiciary Square, five thousand dollars.

For new crossings on Pennsylvania Avenue, five thousand dollars.

For annual repairs of fences around the public reservations, one thousand dollars.

For lighting the rotunda of the capitol with gas, by a branch from the electric battery which lights the dome, three thousand dollars.

Rast of Pulaski.

To enable the joint committee on the library of Congress to purchase the historical library of Peter Force for the library, one hundred thousand dollars.

To enable the joint committee on the library of Congress to purchase the bust of Pulaski, now in the old hall of the house of representatives, executed by the late Henry D. Saunders, one thousand dollars.

Office of register of deeds.

To enable the Secretary of the Interior to pay for books of record heretofore furnished in the office of the register of deeds of the District of Columbia, and fitting necessary shelving in said office, six hundred dollars.

Warden of jail.

For salary of warden of the jail in the District of Columbia, two thousand dollars.

Department of agriculture.

To enable the commissioner of agriculture to erect a department of agriculture on reservation number two, in the city of Washington, according to the plan proposed by him, to be constructed under the general provisions of laws relating to the construction of public buildings, one hundred thousand dollars.

Smithsonian Institution; collections of surveying expeditions

For the preservation of the collections of the exploring and surveying expeditions of the government, ten thousand dollars.

Government Hospital for the Insane.

For the support, clothing, and medical treatment of the insane of the army and navy and of the revenue-cutter service, and of the indigent insane of the District of Columbia, at the government hospital for the insane in said District, including five hundred dollars for books, stationery, and incidental expenses, ninety thousand five hundred dollars; and the salary of the superintendent of the said hospital is hereby fixed at four thousand dollars per annum.

For finishing, furnishing, lighting, and heating additional accommodations in the east wing of the hospital edifice, occupied as a general army hospital during the war, and still in part unfinished, seven thousand dollars.

For continuing the wall enclosing the grounds of the hospital, ten thousand dollars.

Washington Aqueduct.

For building a coal-house near the wharf, two thousand dollars.

Washington Aqueduct. — For the payment of the employees in the management, engineering, and repairs of the Washington Aqueduct, twenty thousand dollars.


For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand eight hundred dollars, to be paid out of the patent-office fund.

For preparing illustrations and descriptions for the report of the commissioner of patents, ten thousand dollars, to be paid out of the patent-office fund.

Columbian Institution for the Deaf and Dumb.

For the support of the institution, including one thousand dollars for books and illustrative apparatus, twenty-five thousand dollars: Provided, That deaf mutes, not exceeding ten in number, residing in the several States and Territories of the United States, applying for admission to the collegiate department of the institution, shall be received on the same terms and conditions as those that have been destroyed on the streets, heretofore planted by the government, two thousand dollars.
prescribed by law for residents of the District of Columbia, at the discretion of the president of the institution.

For the erection, furnishing, and fitting up of additions to the buildings of the institution, to provide enlarged accommodations for the male and female pupils and the resident officers of the institution, fifty-four thousand six hundred and seventy-five dollars.

For the enlargement and further improvement of the grounds of the institution, including under-drainage, seven thousand five hundred dollars.

To furnish an increased supply of Potomac water and for the erection of tanks to regulate the distribution thereof, five thousand dollars, to be expended under the direction of the president of the institution.

Columbia Hospital. — To aid in the support of the Columbia Hospital for Women and Lying-in Asylum, in the District of Columbia, ten thousand dollars.

Expenses of Collection of Revenue from Sales of Public Lands. — For salaries and commissions of registers of land offices and receivers of public money, two hundred and six thousand one hundred dollars.

For incidental expenses of the several land offices, nineteen thousand four hundred dollars.

Surveying the Public Lands. — For surveying the public lands in Minnesota, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Dakota Territory, including the lands along the Red River of the North, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Nebraska, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Kansas, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Idaho, at rates not exceeding fifteen dollars per mile for standard lines, twelve dollars for township, and ten for section lines, fifteen thousand dollars.

For surveying the public lands in Colorado, at rates not exceeding fifteen dollars per lineal mile for standard lines, eight dollars for township, and seven dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Nevada, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, twenty thousand dollars.

For surveying the public lands in Arizona, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, ten thousand dollars.

For surveying the public lands in California, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, thirty thousand dollars.

For surveying the public lands in Oregon, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, twenty thousand dollars.

For surveying the public lands in Washington Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, ten thousand dollars.

For the survey of the forty-second parallel of north latitude, so far as it constitutes the common boundary between the States of California and Oregon, estimated two hundred and twenty miles, at not exceeding sixty dollars per mile, thirteen thousand eight hundred and forty-seven dollars.

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Survey of boundary between Oregon and Idaho;

thirty-seventh parallel.

Office of commissioner of public buildings abolished; chief engineer to perform duties, superintend Washington Aqueduct, &c.

Appointments of capitol police.

Lighthouse board may apply unexpended balances on Pacific coast;

may purchase sites for lighthouses, &c. when, &c.

Certain superintendents of lights not to receive pay as disbursing agents for lighthouse establishment.

Salary of general appraiser at New York; of assistants at certain ports.

Pay of clerk of pardons in State Department.

Clerk of the House to select newspapers in each of the ten rebel states in which the laws, legal notices, &c. shall be published.

Pay thereof.

For survey of boundary line between the State of Oregon and the Territory of Idaho, commencing at the northern boundary of the State of Nevada, and running north to its intersection with Snake river, estimated one hundred and sixty miles, at not exceeding sixty dollars per mile, nine thousand six hundred dollars.

For the survey of the thirty-seventh parallel of north latitude, so far as it constitutes the northern boundary of the Territory of New Mexico, estimated three hundred and twenty miles, at not exceeding sixty dollars per mile, nineteen thousand dollars.

SEC. 2. And be it further enacted, That the office of commissioner of public buildings is hereby abolished; and the chief engineer of the army shall perform all the duties now required by law of said commissioner, and shall also have the superintendence of the Washington Aqueduct and all the public works and improvements of the government of the United States in the District of Columbia, unless otherwise provided by law; and the sergeant-at-arms of the Senate and the sergeant-at-arms of the House of Representatives shall hereafter appoint the members of the capitol police.

SEC. 3. And be it further enacted, That the lighthouse board be authorized to apply any unexpended balance which may remain after the completion of a lighthouse work on the Pacific coast to the construction of any other similar work upon the same coast, which may have been authorized by Congress, but for which the amount appropriated may prove insufficient.

SEC. 4. And be it further enacted, That the lighthouse board is authorized, whenever an appropriation has been or may be made by Congress for a new lighthouse, the proper site for which does not belong to the United States, to purchase the necessary land, provided the purchase-money be paid from the amount appropriated for such lighthouse: Provided, That no superintendent of lights, whose compensation as collector of customs exceeds three thousand dollars per annum, shall receive any compensation as disbursing agent for the lighthouse establishment, whether the sums disbursed by him be for articles to be used or services rendered within or without the limits of his superintendence or collection district.

SEC. 5. And be it further enacted, That the salary of the general appraiser in the city of New York shall be three thousand dollars. And the salaries of the assistant appraisers at Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco shall be twenty-five hundred dollars per annum.

SEC. 6. And be it further enacted, That the clerk of pardons in the Department of State be placed upon the same footing in regard to compensation for extraordinary services under the amnesty proclamation of the twenty-ninth May, eighteen hundred and sixty-five, as the principal clerk of pardons in the Attorney-General’s office; and any money in the treasury not otherwise appropriated is hereby appropriated for this purpose.

SEC. 7. And be it further enacted, That it shall be the duty of the clerk of the House of Representatives to select in Virginia, South Carolina, North Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, and Arkansas, one or more newspapers, not exceeding the number now allowed by law, in which such treaties and laws of the United States may be ordered for publication in newspapers according to law shall be published, and in some one or more of which so selected all such advertisements as may be ordered for publication in said districts, by any United States court or judge thereof, or by any officer of such courts, or by any executive officer of the United States, shall be published, the compensation for which, and other terms of publication, shall be fixed by said clerk at a rate not exceeding two dollars per page for the publication of treaties and laws, and not exceeding one dollar per square of eight...
lines of space, for the publication of advertisements, the accounts for
which shall be adjusted by the proper accounting officers and paid in the
manner now authorized by law in like cases; and said clerk shall,
as soon as practicable after the passage of this act, notify each head of
the several executive departments, and each judge of the United States
courts therein, of the papers selected by him in accordance with the fore-
going provisions; and thereupon and thereafter it shall be the duty of
the several executive officers charged therewith to furnish to such select-
ed papers only an authentic copy of the publications to be made as afore-
said; and no money hereby or otherwise appropriated shall be paid for
any publications or advertisements hereafter to be made in said districts,
nor shall any such publication or advertisement be ordered by any de-
partment or public officer otherwise than as herein provided: Provided,
that the rates fixed in this section to be paid for the publication of the
treaties and laws of the United States in the States therein designated
shall also be paid for the same publications in all the States not designated
in this section.

SEC. 8. And be it further enacted, That the Secretary of the Treasury
is hereby authorized to sell, at public auction, the following property
belonging to the United States, namely: the buildings and grounds known
as the old custom-house, at Alexandria, Virginia; the building and
grounds known as the old custom-house, at New Haven, Connecticut;
the building and grounds known as the old custom-house, at Portsmouth,
New Hampshire; the parcel of ground, known as the old custom-house
lot, at Norfolk, Virginia; the parcel or lot of ground purchased, in the
city of Perth Amboy, New Jersey, for the erection of a custom-house;
and the custom-house and grounds at Sackett's Harbor, New York; and
he is hereby authorized to make, execute, and deliver all needful con-
veyances to the purchaser or purchasers thereof.

SEC. 9. And be it further enacted, That the Secretary of the Interior
be directed to procure an examination to be made of the condition of the
public buildings in the Territory of New Mexico, and report to the next
Congress an estimate of what amount is necessary to complete the same.

SEC. 10. And be it further enacted, That all advertisements, notices
and proposals for contracts for all the executive departments, of the
government, and the laws passed by Congress and executive proclama-
tions and treaties shall hereafter be advertised by publication in the two daily
papers published in the District of Columbia, now selected under the act
of the first session of the thirty-ninth Congress making appropriations
for the service of the Post-Office Department, during the fiscal year
ending the thirtieth of June, eighteen hundred and sixty-seven, and for
other purposes, until otherwise ordered by Congress, and in no other
District of Columbia papers: Provided, That the charges for such publica-
tion shall not be higher than such as are paid by individuals for adver-
tising in said papers: And provided also, That the same publications shall
be made in each of said papers equally as to frequency: Provided
further, That all printing of any kind ordered by the executive depart-
ments shall be executed by the government printer when practicable, and
if not, at such office as may be designated by the clerk of the House
of Representatives at rates not exceeding the current rates for such
printing.

SEC. 11. And be it further enacted, That all laws and parts of laws
conflicting with the above provisions with respect to the official adver-
tising in the District of Columbia be and are hereby repealed.

SEC. 12. And be it further enacted, That the Secretary of War is
hereby authorized, at his discretion, to increase the pay of the clerks of
the United States armory at Springfield, Massachusetts, to twelve
hundred dollars per annum, instead of eight hundred dollars, as now
fixed by law.
Laws relating to army, navy, &c may be published in Army and Navy Journal, and at what rates

SEC. 13. And be it further enacted, That the laws relating to the army, navy, the militia and the marine corps of the United States be published officially in the United States Army and Navy Journal, at such rates as are fixed by the Secretary of State for the publication of the laws of the United States.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP CLXVIII. — An Act making Appropriations and to supply Deficiencies in the Appropriations for the Service of the Government for the fiscal Year ending June thirtieth, eighteen hundred and sixty-seven, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the objects hereinafter expressed, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, namely: —

DEPARTMENT OF THE INTERIOR.

Pension Bureau. — To meet deficiencies of the present fiscal year on account of pensions for army widows and others under various acts, ten million dollars.

For contingent expenses, ten thousand dollars.

For navy widows and orphans, seventy thousand dollars: Provided, That said sum be transferred from the navy pension fund.

Engineers' Office. — To meet deficiencies of the present fiscal year on account of engineer officer having the supervision of the Union Pacific railroad and branches, land-grant railroads, and wagon roads, namely: —

For compensation of clerks, three thousand eight hundred dollars.

For contingencies, five hundred dollars.

Capitol extension. — For eight additional monolithic columns, eleven thousand two hundred dollars.

For ventilating, nine thousand dollars.

For supplying deficiency in appropriation for work on the Capitol extension, twenty-nine thousand eight hundred dollars.

Census Office. — For the purpose of paying the amount due to certain United States marshals and their assistants for services rendered in taking the eighth census, in the year eighteen hundred and sixty, in the following States, viz: In the State of California, nine thousand four hundred and sixty dollars and forty-eight cents; in the State of Maine, thirty-three dollars and six cents; in the State of Ohio, forty-nine dollars and sixty-nine cents; in the State of Oregon, three thousand one hundred and sixty-eight dollars and eighty-four dollars and sixty-nine cents; in the Territory of Washington, ninety-nine dollars and nine cents; being in the aggregate fifty-six thousand nine hundred and thirty-three dollars and sixty-nine cents: Provided, That no part of the sum hereby appropriated shall be paid to or on account of any claimant who participated in the late rebellion, or gave it aid and comfort.

Indian Bureau. — For this amount, or so much thereof as may be necessary, to pay the indebtedness incurred for the Indian service in the State of Oregon and Territory of Washington, in the years eighteen hundred and sixty, eighteen hundred and sixty-one, and eighteen hundred and sixty-two, forty thousand dollars: Provided, That such payments shall be made only to the original owner of the claims, and upon satisfactory proof furnished the accounting officer.
To enable the Secretary of the Treasury to pay Isaac Strohm for
additional services as a clerk in the Treasury Department from January
first, eighteen hundred and fifty-four, to March first, eighteen hundred and
fifty-five, at the same rate paid for similar additional services prior to
that date, four hundred and sixty-six dollars and sixty-seven cents.

Library of Congress. — To enable the librarian of Congress to employ
two additional assistants, commencing April first, eighteen hundred and
sixty-seven, two thousand four hundred dollars; and there is hereby
added to the contingent fund of said library the sum of one thousand
dollars, to be expended for temporary help.

For six iron stairways, repairs and repainting in the library of Congress,
and for a new skylight in the central library, five thousand two hundred
and sixty dollars.

Public Buildings and Grounds. — To pay for completing the repairs
and furnishing the executive mansion, thirty-five thousand dollars:
Provided, That no further payments shall be made on any accounts for
repairs and furnishing the executive mansion until such accounts shall
have been submitted to a joint committee of Congress, and approved by
such committee.

To replace the bruised and worn copper water-pipes or roof gutters of
the Capitol building with iron pipes, three thousand dollars.
To supply a deficiency in fuel for the President's house and for the
Capitol, two thousand dollars.
To pay for a poudrette pit at the President's stable, five hundred and
sixteen dollars and nineteen cents.
To pay for repairing streets passing along government reservations
where they were washed away by the great freshet in October last, one
thousand five hundred dollars.
To pay for sewer in the rear of H Street, between Sixteenth and
Seventeenth streets west, to abate a public nuisance, two thousand five
hundred dollars.
To thoroughly repair the roof of the executive mansion, two thousand
five hundred dollars.
To pay deficiency and keep in repair the bridge at or near Little Falls,
Potomac river, three thousand three hundred and fifty dollars.
To pay deficiencies in the contingent expenses of the Senate as fol-

For additional messengers, seven thousand dollars.
For additional labor in the folding-room and material, ten thousand
dollars.
For stationery, ten thousand dollars.

Miscellaneous. — For deepening and improving Westport harbor, Con-
necticut, twenty-five hundred dollars.
For dredging and maintaining the channel of the river Thames near
Norwich, in the State of Connecticut, to complete the work, thirty-six
thousand dollars.
For services rendered by the late F. M. Rotch, in furnishing an original
article “on cattle” for the agricultural report of eighteen hundred and
sixty-one, two hundred and twelve dollars and fifty cents, to be paid to
the widow.

For temporary clerks in the Treasury Department for the fiscal year
ending June thirtieth, eighteen hundred and sixty-eight, fifty thousand
dollars: Provided, That the Secretary of the Treasury be, and he is
hereby, authorized in his discretion to classify the clerks authorized
according to the character of their services.

For the purpose of enabling the director of the mint to purchase
publications relating to metals and the manipulations thereof for the
library of the mint, one thousand dollars.

For defraying the expenses incurred by the Department of State by
Atlantic Cassand telegraphic despatches over the Atlantic cable, thirty thousand dollars for the current year.

For preservation and care of the unfinished custom-house building at Charleston, South Carolina, and fitting up the interior to provide suitable offices for the use of the United States, including court-rooms, twenty-five thousand dollars.

To enable the lighthouse board to erect in the lower bay of New York one or more permanent beacons, forty-five thousand dollars.

To enable the Secretary of the Treasury to purchase the stereotype plates and copyright of the American Coast Pilot, twenty thousand dollars.

Beacons in New York bay.

American Coast Pilot.

Registers, &c. of land offices 1866, ch 232. § 7.

Geological survey of Nebraska.

Ten cents a cask to be collected on gaugeable goods, &c. withdrawn from bonded warehouses, or on which drawback is allowed salary of gaugers at New York not to exceed amount of fees.

Claim of Butler and Carpenter to be paid. 1866, ch 28, § 2.

Transfer of surplus to purchase books for library of Congress Vol. xiii p. 570.

Pay of deputy surveyor at San Francisco.

Pay of temporary clerks in quartermaster-general's office.

Salaries of district judges of the United States courts.

SEC. 2. And be it further enacted, That the unexpended balance of the appropriations hereinafore made for defraying the expenses of the legislative assembly of the Territory of Nebraska, is hereby diverted and set aside for the purpose of procuring a geological survey of Nebraska, said survey to be prosecuted under the direction of the commissioner of the general land office.

SEC. 3. And be it further enacted, That upon all merchandise gaugeable by law hereafter exported upon which drawback or return duty is allowed, and upon all goods gaugeable by law withdrawn from bonded warehouses for export, there shall be levied and collected by the collectors of the several ports ten cents per cask.

SEC. 4. And be it further enacted, That the gaugers at the port of New York shall receive, from and after the first day of April, eighteen hundred and sixty-seven, an annual salary of two thousand dollars: Provided, That the amount of compensation of said officers as hereby established shall not exceed in any fiscal year the amount of fees earned by them.

SEC. 5. And be it further enacted, That the second section of an act making appropriations for sundry civil expenses of the government, approved April seventh, eighteen hundred and sixty-six, is hereby so amended as to authorize and require the Secretary of the Treasury to pay the contractors, Butler and Carpenter, the sum of twenty thousand dollars in full of all their claims for indemnity therein referred to.

SEC. 6. And be it further enacted, That the surplus sum of two thousand dollars, now standing on the books of the treasury to the credit of a fund to enable the joint committee on the library to carry out a contract with William H. Powell, authorized by a joint resolution approved March second, eighteen hundred and sixty-five, for a picture illustrative of some naval victory, (said sum being in excess of the amount required to carry out said contract,) is hereby transferred to the fund for the purchase of books for the library of Congress.

SEC. 7. And be it further enacted, That the deputy surveyor at the port of San Francisco be paid the same compensation annually that is now paid to the deputy collector at said port.

SEC. 8. And be it further enacted, That the temporary clerks in the quartermaster-general's office shall receive the same compensation as is paid to first-class clerks, to take effect from and after the first day of January, eighteen hundred and sixty-seven, and a sum sufficient to pay the same is hereby appropriated.

SEC. 9. And be it further enacted, That the salary of the district judge of the district of California shall be five thousand dollars. The salary of the district judge of the district of Louisiana shall be four thousand five hundred dollars. The salary of the district judge of the district of Massachusetts, northern, southern, and eastern districts of New
York, eastern and western districts of Pennsylvania, the district of Maryland, northern district of Illinois, southern district of Ohio, and the district of New Jersey, shall be four thousand dollars each; and the salaries of the district judges of every other district shall be three thousand five hundred dollars each; and said salaries shall be in full compensation for all official services performed by such judges, and shall take effect at the commencement of the next fiscal year, and no other allowance or payment shall be made to them for travel, expenses, or otherwise; and the amount necessary to pay the increased compensation herein provided for shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 10. And be it further enacted, That if the Supreme Court shall in any one year direct its reporter to publish a second volume, for such year, of its decisions, and if such second volume shall be published accordingly, an additional sum of fifteen hundred dollars shall be paid said reporter thereon on the delivery by said reporter to the Secretary of the Interior, for distribution, according to existing laws, of three hundred copies of such second volume of said reports; and the amount necessary to pay the same is hereby appropriated.

SEC. 11. And be it further enacted, That the notice required by the fourth section of the act entitled "An act to pay in part for publishing the debates in Congress and for other purposes," approved July fourth, eighteen hundred and sixty-four, is hereby given that Congress will, in two years from the close of the present Congress, abrogate the provisions of the first and second sections of said act.

SEC. 12. And be it further enacted, That the Secretary of the Interior is hereby authorized to appoint in the office of the commissioner of pensions, in addition to the clerks now authorized in said office, twenty-eight clerks of class one; twenty-four of class two; eighteen of class three; and ten of class four; said clerkships to expire at the end of two years, and a sum sufficient to pay the salaries of said clerks from the date of their appointment to the thirtieth of June, eighteen hundred and sixty-seven, and for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-eight, be, and the same is hereby appropriated.

APPROVED, March 2, 1867.

CHAP. CLXIX. — An Act to amend existing Laws relating to Internal Revenue, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts in relation to the assessment, return, collection, and payment of the income tax, special tax, and other annual taxes now by law required to be performed in the month of May, shall hereafter be performed on the corresponding days in the month of March in each year; all acts required to be performed in the month of June, in relation to the collection, return, and payment of said taxes, shall hereafter be performed on the corresponding days of the month of April of each year: Provided, That on and after the first day of September, eighteen hundred and sixty-seven, a tax of two and one half cents per pound only shall be levied, collected and paid on any cotton produced within the United States.

SEC. 2. And be it further enacted, That apothecaries, butchers, confectioners, and plumbers, and gas-fitters, whose annual sales exceed twenty-five thousand dollars, shall pay, in addition to the special tax now required by law, one dollar for every thousand dollars in excess of said twenty-five thousand dollars; and the taxes on such excess shall be assessed and paid in the manner provided in the case of wholesale dealers.

SEC. 3. And be it further enacted, That in all suits or proceedings concerning suits arising under the internal revenue laws, to which the United States is a party, and in all suits or proceedings against a collector or other officer of the Reporter of decisions of the Supreme Court, if second volume is published in any year.

APPROVED, March 2, 1867.
under internal revenue laws to commissioner.

the internal revenue, wherein a district attorney shall appear for the purpose of prosecuting or defending, it shall be the duty of said attorney, instead of reporting to the solicitor of the treasury, immediately at the end of every term of the court in which said suit or proceeding is or shall be instituted, to forward to the commissioner of internal revenue a full and particular statement of the condition of all such suits or proceedings appearing upon the docket of said court: Provided, That upon the instigation of any such suit or proceeding it shall be the duty of said attorney to report to said commissioner the full particulars relating to such suit or proceeding; and it shall be the duty of the commissioner of internal revenue (with the approval of the Secretary of the Treasury) to establish such rules and regulations, not inconsistent with law, for the observance of revenue officers, district attorneys and marshals, respecting suits arising under the internal revenue laws, in which the United States is a party, as may be deemed necessary for the just responsibility of those officers and the prompt collection of all revenues and debts due and accruing to the United States under such laws.

S. 4. And be it further enacted, That the commissioner of internal revenue shall have charge of all real estate which has been or shall be assigned, set off, or conveyed, by purchase or otherwise, to the United States, in payment of debts arising under the laws relating to internal revenue, and of all trusts created for the use of the United States, in payment of such debts due them; and, with the approval of the Secretary of the Treasury, may sell and dispose of, at public vendue, upon not less than twenty days notice, lands assigned or set off to the United States in payment of such debts, or vested in them by mortgage or other security, for the payment of such debts; and in cases where real estate has already become the property of the United States by conveyance or otherwise, in payment of or as security for a debt arising under the laws relating to internal revenue, and such debt shall have been paid, together with the interest thereon, at the rate of one per centum per month, to the United States, within two years from the date of the acquisition of such real estate, it shall be lawful for the commissioner of internal revenue, with the approval of the Secretary of the Treasury, to release by deed, or other wise convey, such real estate to the debtor from whom it was taken, or to his heirs or other legal representatives.

S. 5. And be it further enacted, That if the manufacturer of any article upon which a tax is required to be paid by means of a stamp shall have sold or removed for sale any such articles without the use of the proper stamp, in addition to the penalties now imposed by law for such sale or removal, it shall be the duty of the proper assessor or assistant assessor, within a period of not more than two years after such removal or sale, upon such information as he can obtain, to estimate the amount of the tax which has been omitted to be paid, and to make an assessment therefor, and certify the same to the collector; and the subsequent proceedings for collection shall be in all respects like those for the collection of taxes upon manufactures and productions.

S. 6. And be it further enacted, That it shall be lawful for the commissioner of internal revenue, whenever he shall deem it expedient, to designate one or more of the assistant assessors in any collection district to make assessments upon specified objects of taxation, and in such case it shall be the duty of the other assistant assessors of such collection district to report to the assistant assessor thus specially designated all matters which may come to their knowledge relative to any assessments to be made by him: Provided, That whenever two or more districts or parts of districts are embraced within one county it may be lawful for such assistant assessor or assessors to make assessment anywhere within such county upon such specified objects of taxation as he may be by said com-
missioner required: Provided, further, That such assessment shall be returned to the assessor of the district in which such taxes are payable.

SEC. 7. And be it further enacted, That the commissioner of internal revenue, with the approval of the Secretary of the Treasury, is hereby authorized to pay such sums, not exceeding in the aggregate the amount appropriated therefor, as may in his judgment be deemed necessary for detecting and bringing to trial and punishment persons guilty of violating the internal revenue laws, or conniving at the same in cases where such expenses are not otherwise provided for by law. And for this purpose there is hereby appropriated one hundred thousand dollars, or so much thereof as may be necessary, out of any money in the treasury not otherwise appropriated.

SEC. 8 And be it further enacted, That hereafter for any failure to pay any internal revenue tax at the time and in the manner required by law, such failure creates a liability to pay a penalty of ten per centum additional upon the amount of tax so due and unpaid, the person or persons so failing or neglecting to pay said tax, instead of ten per centum as aforesaid, shall pay a penalty of five per centum, together with interest at the rate of one per centum per month upon said tax from the time the same became due, but no interest for any fraction of a month shall be demanded.

SEC. 9. And be it further enacted, That the act entitled “An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,” approved June thirty, eighteen hundred and sixty-four, as subsequently amended, be, and the same is hereby, amended as follows, viz:—

That section twenty-two be amended by striking out, after the words, “assistant assessor,” and before the word “actually,” the words “four dollars for every day,” and inserting in lieu thereof the words “five dollars for every day”; and further by striking out the following words: “And assistant assessors may be allowed, in the settlement of their accounts, such sum as the commissioner of internal revenue shall approve, not exceeding three hundred dollars per annum, for office rent; but no account for such office rent shall be allowed or paid until it shall have been verified in such manner as the commissioner of internal revenue may require, and shall have been audited and approved by the proper officers of the Treasury Department; and assistant assessors, when employed outside of the town in which they reside, in addition to the compensation which they are now allowed by law, shall, during such time so employed, receive one dollar per day.” This amendment shall take effect upon compensation for the month of March, eighteen hundred and sixty-seven, and thereafter.

That section twenty-four be amended by inserting in the proviso to said section, after the word “spirits,” wherever it occurs, the words “or other articles.”

That section forty be amended by striking out the following words: “That in case a collector shall die, resign, or be removed,” and inserting in lieu the following: “That in case of a vacancy occurring in the office of collector by reason of death, or any other cause.”

That section seventy-three be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any person who shall exercise or carry on any trade, business, or profession, or do any act hereinafter mentioned, for the exercising, carrying on, or doing of which a special tax is imposed by law, without payment thereof, as in that behalf required, shall, for every such offence, besides being liable to the payment of the tax, be subject to a fine or penalty of not less than ten or more than five hundred dollars. And if such person shall be a manufacturer of tobacco, snuff, or cigars, or a wholesale or retail dealer in liquor, he shall be further liable to imprisonment for a term not less than sixty days and not exceeding two years.
That section seventy-nine be amended as follows: In paragraph four, by striking out the following words: "In quantities of more than three gallons at one and the same time to the same purchaser, or." In paragraph five, by striking out the following words: "In quantities of three gallons or less." In paragraph thirty-one by adding thereto the following: "Provided. That no special tax shall be required of any person for the manufacture of butter or cheese." In paragraph thirty-two, by inserting after the words "garden" and before the word "who," the words "or travelling on foot and peddling fruits, vegetables, pies, cakes, and confectionery."

That section ninety be amended by inserting after the word "cigars," and before the first proviso in said section, the words "and all proceedings relating to forfeiture and sale of distilled spirits shall apply to tobacco, snuff, and cigars."

That section ninety-four be amended as follows: —

By striking out, in the paragraph relating to gas, the words "and until the thirtieth day of April, eighteen hundred and sixty-seven." in the paragraph relating to sugar and sugar refiners, and inserting in lieu thereof the words: —

"On all sugars produced from the sugar-cane, and not from sorghum or imphee, other than those produced by the refiner, a tax of one cent per pound."

"On refined sugars, and on the products of sugar refineries, not including sirup or molasses, a tax of two per centum ad valorem. Provided, that every person shall be regarded as a sugar refiner, and pay the taxes required by law, whose business it is to advance the quality and value of sugar by melting and recrystallization, or by liquorizing, claying, or other washing process, or by any other chemical or mechanical means, or who shall by boiling or other process extract sugar from or advance the quality or value of molasses, concentrated molasses, or molada."

Also, in the paragraph relating to wood screws, by striking out the word "ten" and inserting "five;"

Also, by striking out the paragraph relating to "gunpowder," and inserting in lieu thereof the following: —

"On gunpowder, canister powder, five cents per pound; sporting powder in kegs, one cent per pound; blasting powder in kegs or casks, one half cent per pound."

Also, by striking out all from the words "cigarettes or small cigars," in the first paragraph relating to cigars, down to and including the words "twenty per centum ad valorem on the market value thereof," in the last paragraph relating to cigars, and inserting in lieu thereof the following: —

"On cigarettes, cigars, and cheroots of all descriptions, made of tobacco or any substitute therefor, five dollars per thousand."

That section ninety-four be further amended so that in lieu of the taxes now provided by law upon the goods, wares, and merchandise hereinafter mentioned, which shall be produced and sold, or be manufactured or made and sold, or be consumed or used by the manufacturer or producer thereof, or, removed for consumption or use, or for delivery for others than agents of the manufacturer or producer within the United States or territories thereof, there shall be assessed, collected, and paid the following taxes, to be paid by the producer or manufacturer thereof, that is to say: —

On boots and shoes, made wholly or in part of India-rubber, two per centum ad valorem.

On hats, caps, bonnets, and hoods of all descriptions, two per centum ad valorem.

On hoop-skirts two per centum ad valorem.

On leather and skins.
On manufactures exclusively of glass, other than window glass, three per centum ad valorem.

On manufactures of wool, or of which wool is the chief component material, or the component material of chief value, two and a half per centum ad valorem.

That section ninety-four be amended by adding to the end of said section the following words: "But no tax shall be imposed upon the redyeing or reprinting of cloths or other articles."

That section ninety-six be amended by inserting after the words "and also all goods, wares, and merchandise, and articles," and before the words "made or manufactured from materials," the words "not specially named and taxed, and which are."

That section one hundred and three be amended by striking out the word "three" where it occurs in the second proviso, and inserting the words "two and a half," and by striking out the words "until the thirtieth day of April, eighteen hundred and sixty-seven."

That schedule B, in relation to stamp duties, named in section one hundred and fifty-one, be amended by striking out of said schedule the words "legal documents," and all thereafter, and inserting in lieu thereof the following: "Provided, That the stamp duties imposed by the foregoing schedule (B) on manifests, bills of lading, and passage tickets, shall not apply to steamboats or vessels plying between ports of the United States and ports of British North America: And provided further, That all affidavits shall be exempt from stamp duty."

Also by inserting at the end of the last paragraph relating to "probate of will," the following words: "Provided, That no stamp either for probate of wills, or letters testamentary, or of administration, or on administrator or guardian bond, shall be required when the value of the estate and effects, real and personal, does not exceed one thousand dollars: Provided further, That no stamp tax shall be required upon any papers necessary to be used for the collection from the government of claims by soldiers or their legal representatives of the United States, for pensions, back pay, bounty, or for property lost in the service. The reduction of taxes provided in this section shall take effect on and after March one, eighteen hundred and sixty-seven."

SEC. 10. And be it further enacted, That the act amendatory to the act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirty, eighteen hundred and sixty-four, approved July thirteen, eighteen hundred and sixty-six, be amended as follows, viz: —

That section ten be amended by adding after the word "pupils," in the sixth paragraph of said section, the words "but not including distilled spirits, mineral oil, tobacco, snuff, and cigars."

Also, by striking out in the paragraph relating to monuments, after the word "monuments," the words "of stone."

That section eighteen be amended by adding thereto the following: "Provided, That the exemption herein shall not apply to tobacco, snuff, and cigars manufactured, or spirits distilled, or petroleum refined, either in or for such schools and colleges."

That section nineteen is hereby amended by adding the following thereto: "And no suit for the purpose of restraining the assessment or collection of tax shall be maintained in any court."

That section forty-three be amended by striking out the last two sentences.

Amend section forty-eight, of the act relating to internal revenue, approved July thirteenth, eighteen hundred and sixty-six, so as to insert in the proviso the word "thirds" after [the] word "halves," and before the word "quarter[s]," and also amend it by striking out the words "more than one quarter and not more than one half shall be accounted
one half;" and insert "more than one quarter and not more than one third
shall be accounted one third, and more than one third and less than one
half shall be accounted one half": Provided, That fractional parts
of barrels containing more than one quarter and not more than one half
shall be accounted one half, and pay tax as such until June first, eighteen
hundred and sixty-seven.

SEC. 11. And be it further enacted, That on and after March first,
eighteen hundred and sixty-seven, in addition to the articles now exempt
by law, the articles and products hereinafter enumerated shall be exempt
from internal tax, namely:—

Alcoholic and ethereal vegetable extracts, when solid and used solely
for medicinal purposes;

Bale rope, seines and netting for seines, twine, and lines of all kinds;

Bar, rod, hoop, band, sheet, and plate iron of all descriptions, and iron
prepared for the manufacture of steel: Provided, That the exemption
aforesaid shall be confined exclusively to said articles in the state and con-
dition specified in the foregoing enumeration, and shall not be construed
as exempting spikes, nails, or any other manufactures of iron from the
taxes now imposed by law;

Brush blocks;

Canned and preserved meats, and shell-fish;

Carbolic acid and carbolute of lime, used solely for disinfectants;

Canned and preserved vegetables and fruits;

Casks, churns, barrels, wooden brushes and broom handles, tanks and
kits made of wood, including cooperage of all kinds, bungs and plugs,
packing boxes, nest boxes, and match boxes, whether made of wood or
other materials; wooden hames, plough-beams, split-bottom chairs, and
turned materials for the same unmanufactured, and saddle-trees made of
wood, and match boxes heretofore made on which a tax has not been
paid;

Castings of iron, copper, or brass made for machinery, cars or scales,
and castings made to form a part of any article upon which, in a finished
state, a tax is assessed and paid;

Cast-iron hollow ware, and cast-iron hollow ware tinned, enameled, ja-
panned, or galvanized;

Clock trimmings, namely: Clock work, clock pillars, sash fastenings for
clocks, winding keys, verges, and pendulum rods;

Clothing or articles of dress not specially enumerated, made by sewing,
for the wear of men, women, or children, from cloth or fabrics on which
a tax or duty has been paid;

Coffee mills, coffee grinders and roasters, and apple-paring machines;

Copper bottoms for articles used for domestic and culinary purposes;

Doors, window-sash, blinds, frames, and sills of whatever material;

Drain, gas, and water pipe made of wood, or cement;

Frames and handles for saws and bucksaws;

Glue and gelatine, of all descriptions, in the solid state;

Glue and cement made wholly or in part of glue in the liquid state;

Horse-rakes, horse-powers, tedders, hames, scythe-snaths, hay-forks,
hoes, and portable grinding mills;

Horse-blankets, made from cloth on which a tax or duty has been
paid;

Licorice and licorice paste;

Magnesium lamps;

Manufactures of jute;

Molasses, concentrated molasses or melado, sirup of molasses or sugar-
cane juice, and cistern bottoms;

Oil, naphtha, benzine, benzole, or gasoline, marking more than seventy
degrees Baume’s hydrometer, the product of the distillation, or redistilla-
tion or refining, of crude petroleum, or of crude oil produced by a single
distillation of coal, shale, peat, asphaltum, or other bituminous sub-
stances;

- Palm-leaf and straw, bleached, split, prepared, or advanced by being
  braided or woven, but not made up into hats, bonnets or hoods;
- Potato hooks, pitchforks, manure and spading forks;
- Pottery ware of all descriptions, including stone, earthen, brown and
  yellow earthen, and common or gray stone ware;
- Rock and root diggers or excavators;
- Root-beer and other small beer;
- Salt;
- Soap, common brown, in bars, sold for less than seven cents per pound;
- Saws for cotton gins, when used by the maker, in the manufacture of
  gins;
- Pumps, garden engines, and hydraulic rams;
- School-room seats and desks, blackboards, and globes of all kinds;
- Sleds, wheelbarrows, and handcarfts, and fence made of wood;
- Soles and heel-taps made of India-rubber or of India-rubber and other
  materials;
- Shirt fronts or bosoms, wristbands or cuffs for shirts, except those made
  of paper;
- Spiral springs used in the manufacture of furniture;
- Stove polish or other manufacture exclusively of plumbago, buck-saws,
  stump machines, potato diggers;
- Steel of all descriptions, whether made from muck-bar, blooms, slabs,
  loops, or otherwise;
- Scythes;
- Straw or binder's board and binder's cloth, and straw wrapping paper;
- Tags for merchandise and direction of cloth, paper or metal, whether
  blank or printed; thimble skeins and pipe boxes, made of iron;
- Tin-ware for domestic and culinary purposes;
- Ultramarine blue;
- Varnish;
- Wagons, carts, and drays, made to be used for farming, freighting, or
  lumber purposes;
- Washing, mangling, and clothes-wrinking machines, zinc washboards,
  spinning and flax wheels, hand reels, hand looms, wooden knobs and bee-
  hives;

Provided, That the exemptions aforesaid shall, in all cases, be confined
exclusively to said articles in the state and condition specified in the fore-
going enumeration, and shall not extend to articles in any other form, nor
to manufactures from said articles.

SEC. 12. And be it further enacted, That the act entitled "An act to
provide internal revenue to support the government, to pay interest on
the public debt, and for other purposes," approved June thirty, eighteen
hundred and sixty-four, and as subsequently amended, be further amended
as follows, namely:

Income.—That section one hundred and sixteen be amended by striking
"Income, — That section one hundred and sixteen be amended by striking
Articles, &c. exempt from internal tax.
out all after the enacting clause and inserting, in lieu thereof, as follows:

That there shall be levied, collected, and paid annually upon the gains, profits, and income of every person residing in the United States, or of any citizen of the United States residing abroad, whether derived from any kind of property, rents, interest, dividends, or salaries, or from any profession, trade, employment, or vocation, carried on in the United States, or elsewhere, or from any other source whatever, a tax of five per centum on the amount so derived over one thousand dollars, and a like tax shall be levied, collected, and paid annually upon the gains, profits, and income of every business, trade, or profession carried on in the United States by persons residing without the United States, and not citizens thereof. And the tax herein provided for shall be assessed, collected, and paid upon the gains, profits, and income for the year ending the thirty-first day of December next preceding the time for levying, collecting, and paying said tax.

Section 117.

That section one hundred and seventeen be amended by striking out all after the enacting clause and inserting, in lieu thereof, the following: That, in estimating the gains, profits, and income of any person, there shall be included all income derived from interest upon notes, bonds, and other securities of the United States; profits realized within the year from sales of real estate purchased within the year or within two years previous to the year for which income was estimated; interest received or accrued upon old notes, bonds, and mortgages, or other forms of indebtedness bearing interest, whether paid or not, if good and collectable, less the interest which has become due from said person during the year; the amount of all premium on gold and coupons; the amount of sales of live stock, sugar, wool, butter, cheese, pork, beef, mutton, or other meats, hay and grain, or other vegetable or other productions, being the growth or produce of the estate of such person, not including any part thereof consumed directly by the family; all other gains, profit, and income derived from any source whatever, except the rental value of any homestead used or occupied by any person or by his family in his own right or in the right of his wife; and the share of any person of the gains and profits of all companies, whether incorporated or partnership, who would be entitled to the same, if divided, whether divided or otherwise, except the amount of income received from institutions or corporations whose officers, as required by law, withhold a per centum of the dividends made by such institutions, and pay the same to the officer authorized to receive the same; and except that portion of the salary or pay received for services in the civil, military, naval, or other service of the United States, including senators, representatives, and delegates in Congress, from which the tax has been deducted. And in addition to one thousand dollars exempt from income tax, as hereinbefore provided, all national, State, county, and municipal taxes paid within the year shall be deducted from the gains, profits, or income of the person who has actually paid the same, whether such person be owner, tenant, or mortgagee; losses actually sustained during the year arising from fires, shipwreck, or incurred in trade, and debts ascertained to be worthless, but excluding all estimated depreciation of values and losses within the year on sales of real estate purchased two years previous to the year for which income is estimated; the amount actually paid for labor or interest by any person who rents lands or hires labor to cultivate land, or who conducts any other business from which income is actually derived; the amount actually paid by any person for the rent of the house or premises occupied as a residence for himself or his family; the amount paid out for usual or ordinary repairs: Provided, That no deduction shall be made for any amount paid out for new buildings, permanent improvements or betterments, made to increase the value of any property or estate: And provided, further, That only one deduction of one thousand dollars shall
be made from the aggregate income of all the members of any family, composed of one or both parents, and one or more minor children, or husband and wife; that guardians shall be allowed to make such deduction in favor of each and every ward, except that in cases where two or more wards are comprised in one family, and have joint property interest, only one deduction shall be made in their favor: And provided, further, that in cases where the salary or other compensation paid to any person in the employment or service of the United States shall not exceed the rate of one thousand dollars per annum, or shall be by fees, or uncertain or irregular in the amount or in the time during which the same shall have accrued or been earned, such salary or other compensation shall be included in estimating the annual gains, profits, or income of the person to whom the same shall have been paid.

That section one hundred and eighteen be amended by striking out all after the enacting clause and inserting, in lieu thereof, the following: That it shall be the duty of all persons of lawful age to make and render a list or return, on or before the day prescribed by law, in such form and manner as may be prescribed by the commissioner of internal revenue, to the assistant assessor of the district in which they reside, of the amount of their income, gains, and profits, as aforesaid; and all guardians and trustees, executors and administrators, or any person acting in any other fiduciary capacity, shall make and render a list or return, as aforesaid, to the assistant assessor of the district in which such person acting in a fiduciary capacity resides, of the amount of income, gains, and profits of any minor or person for whom they act; and the assistant assessor shall require every list or return to be verified by the oath or affirmation of the party rendering it, and may increase the amount of any list or return, if he has reason to believe that the same is understated; and in case any such person shall neglect or refuse to make and render such list or return, or shall render a false or fraudulent list or return, it shall be the duty of the assessor or the assistant assessor to make such list, according to the best information he can obtain, by the examination of such person, or his books or accounts, or any other evidence, and to add fifty per centum as a penalty to the amount of the tax due on such list in all cases of wilful neglect or refusal to make and render a list or return; and, in all cases of a false or fraudulent list or return having been rendered, to add one hundred per centum, as a penalty, to the amount of tax ascertained to be due, the tax and the additions thereto as a penalty to be assessed and collected in the manner provided for in other cases of wilful neglect or refusal to render a list or return, or of rendering a false and fraudulent return: Provided, that any party, in his or her own behalf, or as such fiduciary, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the commissioner of internal revenue, that he or she, or his or her ward or beneficiary was not possessed of an income of one thousand dollars, liable to be assessed according to the provisions of this act; or may declare that he or she has been assessed and paid an income tax elsewhere in the same year, under authority of the United States, upon his or her income, gains, and profits, as prescribed by law; and if the assistant assessor shall be satisfied of the truth of the declaration, shall thereupon be exempt from income tax in the said district; or if the list or return of any party shall have been increased by the assistant assessor, such party may exhibit his books and accounts, and be permitted to prove and declare, under oath or affirmation, the amount of income liable to be assessed; but such oaths and evidence shall not be considered as conclusive of the facts, and no deductions claimed in such cases shall be made or allowed until approved by the assistant assessor. Any person feeling aggrieved by the decision of the assistant assessor in such cases may appeal to the assessor of the district, and his decision thereon, unless reversed by the commissioner of internal revenue, shall
be final, and the form, time, and manner of proceedings shall be subject to rules and regulations to be prescribed by the commissioner of internal revenue: Provided further, That no penalty shall be assessed upon any person for such neglect or refusal, or for making or rendering a false or fraudulent return, except after reasonable notice of the time and place of hearing, to be regulated by the commissioner of internal revenue, so as to give the person charged an opportunity to be heard.

That section one hundred and nineteen be amended by striking out all after the enacting clause and inserting, in lieu thereof, the following: That the taxes on incomes herein imposed shall be levied on the first day of March, and be due and payable on or before the thirtieth day of April, in each year, until including the year eighteen hundred and seventy, and no longer; and to any sum or sums annually due and unpaid after the twentieth day of April, as aforesaid, and for ten days after notice and demand thereof by the collector, there shall be levied in addition thereto the sum of five per centum on the amount of taxes unpaid and interest at the rate of one per centum per month upon said tax from the time the same became due, as a penalty, except from the estates of deceased, insane, or insolvent persons: Provided, That the tax on incomes for the year eighteen hundred and sixty-six shall be levied on the day this takes effect.

Section 123. That section one hundred and twenty-three be amended by striking out all after the enacting clause and inserting, in lieu thereof, the following: That there shall be levied, collected, and paid on all salaries of officers, or payments for services to persons in the civil, military, or naval service of the United States. Rate of tax. Amount of tax to be deducted. Pay-roll, &c. to show such payment. Accounting officers to require proof that taxes have been deducted and paid over. Payments of prize money to be deemed income, but not payments to laborers. Books of Treasury Department. When this section takes effect. Tax on distilled spirits; by whom to be paid; who liable therefor, to be a lien, and on what, and for how long. And be it further enacted, That there shall be levied, collected, and paid on all distilled spirits, upon which no tax has been paid according to law, a tax of two dollars upon each and every proof gallon, to be paid by the distiller, owner, or any person having possession thereof, and every proprietor and possessor of a still, distillery, or distilling apparatus, shall be jointly and severally liable for the taxes imposed by law upon the spirits distilled therein; and the tax shall be a lien upon the spirits distilled, on the distillery used for distilling the same, with the stills,
vessels, fixtures, and tools therein, and on the lot or tract of land whereon
the said distillery is situated, together with any building thereon, from the
time said spirits are distilled until the said tax shall be paid: Provided,
That the tax upon any spirits distilled and removed from the place where
the same were distilled, and not deposited in bonded warehouse as
required by law, shall, at any time, upon knowledge of such fact obtained
by the assessor or assistant assessor of the district where such spirits
were distilled, be assessed by him upon the distiller of the same, and
covered or returned to the collector, who shall immediately demand pay-
ment of such tax, and upon the neglect or refusal of payment by the
distiller, shall proceed to collect the same by distraint; But this
provision shall not exclude any other remedy or proceeding provided by
law: Provided further, That the tax on all spirits shall be collected at no
lower rate than the basis of first proof, and shall be increased in propor-
tion for any greater strength than the strength of first proof.

SEC. 15. And be it further enacted, That proof spirit shall be held and
taken to be that alcoholic liquor which contains one half its volume
of alcohol of a specific gravity of seven thousand nine hundred and thirty-
nine (.7939) ten thousandths at sixty degrees Fahrenheit; and the
Secretary of the Treasury is hereby authorized to adopt, procure, and
prescribe for use such hydrometers, weighing and gauging instruments,
metres, or other means for ascertaining the strength and quality of spirits
subject to tax, or for the prevention or detection of frauds by distillers of
spirits, and to prescribe such rules and regulations as he may deem
necessary to insure a uniform and correct system of inspection, weighing,
and gauging of spirits subject to tax throughout the United States. And
whenever the Secretary of the Treasury shall adopt and prescribe for use
any meter or meters, it shall be the duty of every owner, agent, or
superintendent of a distillery, to make application to the collector of his
district for such meter or meters, to be used in his distillery, and the same
shall be furnished and attached to the distillery at the expense of the
distiller, whose duty it shall be to furnish all the pipes, materials, labor,
and facilities necessary to complete such attachment in accordance with
the regulations of the commissioner of internal revenue, who is hereby
further authorized to order and require such changes of or additions to
distilling apparatus, connecting pipes, pumps, or cisterns, or any machinery
connected with or used in or on the distillery premises, or may require to
be put on any of the stills, tubs, cisterns, pipes, or other vessels, such
fastenings, locks, or seals as he may deem necessary. And in all sales of
spirits hereafter made, where not otherwise specially agreed, a gallon
shall be taken to be a gallon of first proof, according to the foregoing
standard set forth and declared for the inspection and gauging of spirits
throughout the United States.

SEC. 16. And be it further enacted, That every person, firm, or corpo-
ration who distills or manufactures spirits or alcohol, or who brews or
makes mash, wort, or wash, for distillation or the production of spirits,
shall be deemed a distiller. And the making or keeping by any person
of grain, mash, wash, wort, or beer, prepared or fit for distillation, to-
gether with the possession by such person of a still or other apparatus
capable of use for distilling upon the same premises, shall be deemed and
taken as presumptive evidence that such person is a distiller.

SEC. 17. And be it further enacted, That hereafter all distilled spirits,
before being removed from the distillery, shall be inspected and gauged
by a general inspector of spirits, who shall mark the barrels or packages
in the manner required by law; and so much of the act approved July
thirteen, eighteen hundred and sixty-six, as requires the appointment of
an inspector for each distillery established according to law is hereby
repealed: Provided, That such other duties as have heretofore been
imposed upon inspectors of distilleries may be performed by such other
their duties.

Collector may direct spirits stored in a bonded warehouse to be removed to general bonded warehouse.

Spirits not to be removed from place of manufacture, &c. in certain packages, nor between sunset and sunrise.

Penalty.

Officer specially authorized to seize property. Powers of such officer.

Barrels, &c. containing, or supposed to contain, distilled spirits, may be seized when and by whom, and detained.

If certain distilled spirits are sold, &c. at a price less than the tax imposed by law thereon, such selling or offering for sale as aforesaid shall be taken and deemed as prima facie evidence that said spirits have not been removed from a bonded warehouse according to law, and that the tax imposed by law on the same has not been paid, and the same shall without further evidence be liable to seizure and forfeiture: Provided, That this section shall not apply to spirits sold at public sale by an auctioneer who has paid the special tax as such under such rules and regulations, and upon such public notice as may be prescribed by the commissioner of internal revenue, nor to sales made by judicial or executive officers under the order or decree of any court.

Persons drawing off articles subject to tax from barrels, &c. to efface such marks

Penalty.

When a bond for removal of duly appointed officers as may be designated by the commissioner of internal revenue.

SEC. 18. And be it further enacted, That whenever, in the judgment of the collector, there shall be a general bonded warehouse so located as to be conveniently accessible to a distillery, and in the same collection district, the said collector shall direct all spirits which may be stored in the bonded warehouse attached to such distillery to be transferred directly to a general bonded warehouse; and all spirits thereafter produced in such distillery shall be removed to a general bonded warehouse within the time and in the manner heretofore required for the removal to the bonded warehouse attached to the distillery.

SEC. 19. And be it further enacted, That no spirits shall be removed in any cask or package containing more than ten gallons from any premises or building in which the same may have been distilled, redistilled, rectified, or manufactured, nor from any place of storage at any other times than after sun-rising and before sun-setting, on pain of forfeiture of such spirits, and every person who shall violate this provision shall be liable to a penalty of one hundred dollars for each cask, barrel or package of spirits removed. Any officer of internal revenue may be specially authorized by the commissioner of internal revenue to seize any property which may by law be subject to seizure, and for that purpose such officer shall have all the power conferred by law upon collectors of internal revenue, and such special authority shall be limited in respect of time, place, and kind or class of property as the said commissioner may specify.

SEC. 20. And be it further enacted, That it shall be lawful for any internal revenue officer to seize and detain any barrels, casks, or packages containing, or supposed to contain, distilled spirits, when such officer has reason to believe the tax imposed by law upon the same has not been paid, or that they are being removed in violation of law, and such packages may be detained by such officer in a safe place until it can be satisfactorily ascertained by the proper officers whether the articles so seized are liable to be proceeded against for violations of the internal revenue laws.

SEC. 21. And be it further enacted, That whenever any distilled spirits so found elsewhere than in a bonded warehouse shall be sold or offered for sale at a less price than the tax imposed by law thereon, such selling or offering for sale as aforesaid shall be taken and deemed as prima facie evidence that said spirits have not been removed from a bonded warehouse according to law, and that the tax imposed by law on the same has not been paid, and the same shall without further evidence be liable to seizure and forfeiture: Provided, That this section shall not apply to spirits sold at public sale by an auctioneer who has paid the special tax as such under such rules and regulations, and upon such public notice as may be prescribed by the commissioner of internal revenue, nor to sales made by judicial or executive officers under the order or decree of any court.

SEC. 22. And be it further enacted, That it shall be the duty of every person who empties or draws off, or causes to be emptied or drawn off, distilled spirits or other article subject by law to tax, from a cask, barrel, or package, bearing any of the marks or brands required by law, or marks intended for or purporting to be, or designed to have the effect of, such marks, immediately upon such cask, barrel, or package being emptied, to efface and obliterate said marks or brands; and any person who shall violate this provision shall be liable to a penalty of ten dollars for each offence; and any such cask, barrel, or package, from which said marks are not so effaced and obliterated as herein required, shall be liable to forfeiture, and may be seized by any officer of internal revenue wherever found.

SEC. 23. And be it further enacted, That in case any bond under which any distilled spirits shall have been withdrawn from a bonded warehouse...
is forfeited by failure to furnish or produce at the proper time the evidence required by law or regulation that the articles named in the bond were duly received and actually stored in the warehouse or district to which they were shipped, or by other breach of the obligation, the obligors in the bond shall pay the total amount of duties upon the articles removed under the bond, together with fifty per centum upon that amount, and the collector of the district in which such bond is or may be given may forthwith distrain upon any property, real or personal, subject to distraint or seizure, belonging to said obligors; and in case no such property can be found, the collector shall immediately forward the bond to the United States district attorney for the proper district for suit, and notice of the breach of the obligation of any such bond shall be forthwith forwarded by the collector of the district to the commissioner of internal revenue.

SEC. 24. And be it further enacted, That the forty-fourth section of the act of July thirteen, eighteen hundred and sixty-six, aforesaid, be amended by adding thereto as follows: Provided, That when any still used or fit for use in the production of distilled spirits, the same not exceeding one thousand dollars in value, has been or shall be seized for any violation of the laws relating to internal revenue, the same shall not be released by the court to the claimant, or any other intervening party, before judgment; and if declared forfeited, such still shall be so destroyed as to prevent its use for the purpose aforesaid, and the materials thereof shall be sold as other forfeited property. In case of seizure, as above, of a still exceeding in value the sum of one thousand dollars, its release to the claimant or any other intervening party, before judgment, shall be at the discretion of the court.

SEC. 25. And be it further enacted, That the owner, agent, or superintendent of any still, boiler, or other vessel used in the distillation of spirits, who shall neglect or refuse to make true and exact entry and report of the same, or to do or cause to be done any of the things by law required to be done concerning distilled spirits, shall, in addition to other fines and penalties now by law provided, forfeit for every such neglect or refusal all the spirits made by or for him, and all the vessels used in making the same, and the stills, boilers, and other vessels used in distillation, and all materials fit for use in distillation found on the premises, together with the sum of five hundred dollars for each offence, to be recovered with costs of suit, and shall be deemed guilty of a misdemeanor, and be subject to imprisonment for a term not exceeding one year; which said spirits, with the vessels containing the same, with all the vessels used in making the same, and all said materials, may be seized by the collector and held by him until a decision shall be had thereon according to law: Provided, That proceedings to enforce said forfeiture shall be commenced by such collector within twenty days after the seizure thereof. And the proceedings to enforce said forfeiture of said property shall be in the nature of a proceeding in rem, in the circuit or district [court] of the United States for the district where such seizure is made, or in any other court of competent jurisdiction.

SEC. 26. And be it further enacted, That if any collector, deputy collector, assessor, assistant assessor, inspector, district attorney, marshal, or other officer, agent, or person charged with the execution or supervision of the execution, or supervision of the execution of any of the provisions of this act, or of the act to which this is amendatory, shall demand, or accept, or attempt to collect, directly or indirectly, as payment or gift, or otherwise, any sum of money or other property of value for the compromise, adjustment, or settlement of any charge or complaint for any violation, or alleged violation of any of the said provisions, except as expressly authorized by law so to do, he shall be held to be guilty of a misdemeanor, and shall for every such offence be liable to indictment and trial in any court of the United States having competent jurisdiction, and

distilled spirits from bonded warehouse is forfeited, obligors to pay what.

Their property may be distrained

If property is not found, bond to be put in suit.

Stills, &c. may be seized and held.

Proceedings to enforce forfeiture.

Penalty upon collectors, assessors, and others, for asking or accepting any money, &c for compromising, &c any charge of violating the laws relating to internal taxes.
Forty and an one in double the sum or value of the
money or property received or demanded, and be imprisoned for a period
of not less than one year nor more than ten years.

SEC. 27. And be it further enacted, That no distilled spirits which have
been forfeited to the government in accordance with law shall be sold for
a price less than the amount of the tax required thereon by law at the
time of such sale. And if the officer having such spirits in charge shall
have been unable, for a period of ninety days, to [sell] the same for a price
equal to the tax, such spirits shall be destroyed, under such rules and
regulations as the commissioner of internal revenue may prescribe.

SEC. 28. And be it further enacted, That if any person shall falsely
represent himself to be a revenue officer of the United States, and shall
in such assumed character demand or receive any money or other article
of value from any person for any duty or tax due to the United States,
or for any violation or pretended violation of any revenue law of the
United States, such person shall be deemed guilty of a felony, and on
conviction thereof shall be liable to a fine of five hundred dollars, and to
imprisonment not less than six months and not exceeding two years, at
the discretion of the court.

SEC. 29. And be it further enacted, That no person shall mix for sale
naphtha and illuminating oils, or shall knowingly sell or keep for sale or
offer for sale such mixture, or shall sell or offer for sale oil made from
petroleum for illuminating purposes, inflammable at less temperature or
fire test than one hundred and ten degrees Fahrenheit, and any person so
doing shall be held to be guilty of [a] misdemeanor, and on conviction
thereof by indictment or presentment in any court of the United States,
having competent jurisdiction, shall be punished by a fine of not less than
one hundred dollars nor more than five hundred dollars, and by imprison-
ment for a term of not less than six months nor more than three years.

SEC. 30. And be it further enacted, That if two or more persons con-
spire either to commit any offence against the laws of the United States,
or to defraud the United States in any manner whatever, and one or more
of said parties to said conspiracy shall do any act to effect the object
thereof, the parties to said conspiracy shall be deemed guilty of a misde-
meanor, and on conviction thereof shall be liable to a penalty of not less
than one thousand dollars and not more than ten thousand dollars, and to
imprisonment not exceeding two years. And when any offence shall be
begun in one judicial district of the United States and completed in
another, every such offence shall be deemed to have been committed in
either of the said districts, and may be dealt with, inquired of, tried,
determined and punished in either of the said districts, in the same manner
as if it had been actually and wholly committed therein.

SEC. 31. And be it further enacted, That all inspectors appointed under
the provisions of the act or acts of which this is amendatory shall be
required to give bonds, with security, approved by the Secretary of the
Treasury or assessor of the district, in a sum not less than five thousand
dollars, conditioned for the faithful discharge of the duties of such in-
spector.

SEC. 32. And be it further enacted, That any person who shall sell,
give away, or otherwise dispose of, any empty cigar box or boxes which
have been stamped, without first defacing or destroying such stamps, or
shall refill any cigar box without first defacing or destroying such stamp,
shall on conviction of either offence be liable to a penalty of one hundred
dollars or to imprisonment not exceeding sixty days, or both, in the dis-
cretion of the court, with the costs of the trial, and it shall be lawful for
any cigar inspector or revenue officer to destroy any empty cigar box
upon which a cigar stamp shall be found.

SEC. 33. And be it further enacted, That the tonnage duty now imposed
on all ships, vessels, or steamers engaged in foreign or domestic commerce,
shall be levied but once within one year, and when paid by such ship, vessel, or steamer, no further tonnage tax shall be collected within one year from the date of such payment.

Sec. 34. And be it further enacted, That all acts or parts of acts inconsistent with this act, and all acts and parts of acts imposing any tax upon advertisements, or the gross receipts of toll-roads, are hereby repealed: Provided, That this act shall not be construed to affect any act done, right accrued, or penalty incurred, under former acts, but every such right is hereby saved; and all suits and prosecutions for acts already done in violation of any former act or acts of Congress relating to the subjects embraced in this act may be commenced or proceeded with in like manner as if this act had not been passed; and all penal clauses and provisions in existing laws relating to the subjects embraced in this act shall be deemed applicable thereto.

Approved, March 2, 1867.

CHAP. CLXX.—An Act making Appropriations for the Support of the Army for the Year ending June thirtieth, eighteen hundred and sixty-eight, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-eight:

For expenses of recruiting, transportation of recruits, and compensation to citizen surgeons for medical attendance, three hundred thousand dollars.

For pay of the army, fourteen million seven hundred and fifty-seven thousand nine hundred and fifty-two dollars.

For commutation of officers' subsistence, two million two hundred and twenty-eight thousand nine hundred and eighty-two dollars.

For commutation of forage for officers' horses, one hundred and four thousand six hundred dollars.

For payments in lieu of clothing for officers' servants, two hundred and seventy-six thousand nine hundred and seventy-eight dollars.

For payments to discharged soldiers for clothing not drawn, two hundred thousand dollars.

For contingencies of the army, one hundred thousand dollars.

For artificial limbs for soldiers and seamen, seventy thousand dollars.

For army medical museum, ten thousand dollars.

For medical works for library of surgeon-general's office, ten thousand dollars.

For expenses of commanding-general's office, ten thousand dollars.

For Repairs and Improvements of Armories and Arsenals.—For arsenal and armory at Rock Island, Illinois, six hundred and eighty-six thousand five hundred dollars.

For the erection of a bridge at Rock Island, Illinois, as recommended by the chief of ordinance, two hundred thousand dollars: Provided, That the ownership of said bridge shall be and remain in the United States, and the Rock Island and Pacific Railroad Company shall have the right of way over said bridge for all purposes of transit across the island and river, upon the condition that the said company shall, before any money is expended by the government, agree to pay and shall secure to the United States, first, half the cost of said bridge; and, second, half the expenses of keeping said bridge in repair, and upon guaranteeing said conditions to the satisfaction of the Secretary of War, by contract or otherwise, the said company shall have the free use of said bridge for purposes of transit, but without any claim to ownership thereof.
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<tr>
<th>Arsenal</th>
<th>Location</th>
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<tr>
<td>Watervliet</td>
<td>West Troy, New York</td>
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<td>Ordnance Service</td>
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<td>Columbus</td>
<td>Columbus, Ohio</td>
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<td>Fort Monroe</td>
<td>Old Point Comfort, Virginia</td>
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<td>Fort Union</td>
<td>Fort Union, New Mexico</td>
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<td>Kennebec</td>
<td>Augusta, Maine</td>
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<td>Washington</td>
<td>Washington, District of Columbia</td>
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<tr>
<td>Watertown</td>
<td>Watertown, Massachusetts</td>
<td>$21,667 and $625</td>
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For the purchase of the Willard Sears estate, adjoining the Watertown arsenal grounds, forty-nine thousand and seven hundred dollars, or so much thereof as may be necessary; and the Secretary of War is hereby authorized to sell at public auction a lot of land belonging to the United States situated in South Boston, if, in his opinion, the same is not needed for the public service, and pay the proceeds thereof into the treasury.

**Bureau of Refugees, Freedmen, and Abandoned Lands.**

- For salaries of assistant commissioners, sub-assistant commissioners, and agents, one hundred and forty-seven thousand five hundred dollars.
- For salaries of clerks, eighty-two thousand eight hundred dollars.
- For stationery and printing, sixty-three thousand dollars.
- For quarters and fuel, two hundred thousand dollars.
- For commissary stores, one million five hundred thousand dollars.
- For medical department, five hundred thousand dollars.
- For transportation, eight hundred thousand dollars.
- For school superintendents, twenty-five thousand dollars.
- For buildings for schools and asylums, including construction, rental, and repairs, five hundred thousand dollars.
- For telegraphing and postage, eighteen thousand dollars: Provided, That the commissioner be hereby authorized to apply any balance on hand, at this date, of the Refugees and Freedmen's Fund, accounted for in his last annual report, to aid educational institutions actually incorporated for loyal refugees and freedmen: And provided further, That no agent or clerk not heretofore authorized by law shall receive a monthly allowance exceeding the sum of two hundred dollars.

SEC. 2. And be it further enacted, That the head-quarters of the General of the army of the United States shall be at the city of Washington, and all orders and instructions relating to military operations issued by the President or Secretary of War shall be issued through the
General of the army, and, in case of his inability, through the next in rank. The General of the army shall not be removed, suspended or relieved from command, or assigned to duty elsewhere than at said headquarters, except at his own request, without the previous approval of the Senate; and any orders or instructions relating to military operations issued contrary to the requirements of this section shall be null and void; and any officer who shall issue orders or instructions contrary to the provisions of this section shall be deemed guilty of a misdemeanor in office; and any officer of the army who shall transmit, convey, or obey any orders or instructions so issued contrary to the provisions of this section, knowing that such orders were so issued, shall be liable to imprisonment for not less than two nor more than twenty years, upon conviction thereof in any court of competent jurisdiction.

Sec. 3. And be it further enacted, That section three of the joint resolution relative to appointments to the military academy, approved June sixteen, eighteen hundred and sixty-six, be, and the same is hereby repealed.

Sec. 4. And be it further enacted, That the sum of one hundred and fifty thousand dollars be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, to be disbursed by the Secretary of War, in the erection of fire-proof buildings at or near the city of Jeffersonville, in the State of Indiana, to be used as storehouses for government property.

Sec. 5. And be it further enacted, That it shall be the duty of the officers of the army and navy, and of the Freedmen's Bureau, to prohibit and prevent whipping or maiming of the person, as a punishment for any crime, misdemeanor, or offence, by any pretended civil or military authority in any State lately in rebellion until the civil government of such State shall have been restored, and shall have been recognized by the Congress of the United States.

Sec. 6. And be it further enacted, That all militia forces now organized or in service in either of the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, and Texas, be forthwith disbanded, and that the further organization, arming, or calling into service of the said militia forces, or any part thereof, is hereby prohibited under any circumstances whatever, until the same shall be authorized by Congress.

Sec. 7. And be it further enacted, That the paymaster-general be authorized to pay under such regulations as the Secretary of War shall prescribe in addition to the amount received by them, for the travelling expenses of such California and Nevada volunteers as were discharged in New Mexico, Arizona, or Utah, and at points distant from the place or places of enlistment, such proportionate sum according to the distance travelled as have been paid to the troops of other States similarly situated, and such amount as shall be necessary to pay the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated.

Approved, March 2, 1867.
Appropriation for Fort Georges;

For Fort Georges, on Hog Island ledge, Portland, Maine, fifty thousand dollars.

Fort Winthrop;

For Fort Winthrop, Boston, Massachusetts, fifty thousand dollars.

Fort Warren;

For Fort Warren, Boston, Massachusetts, fifty thousand dollars.

Fort at entrance of New Bedford harbor;

For Fort Schuyler, East River, New York, fifty thousand dollars.

Fort at Willett’s Point;

For Fort at Willett’s Point, opposite Fort Schuyler, New York, fifty thousand dollars.

on site of Fort Tompkins,

For Fort on site of Fort Tompkins, Staten Island, New York, fifty thousand dollars.

at Sandy Hook;

For repair of Fort Washington, on the Potomac river, twenty-five thousand dollars.

Fort Monroe

For Fort Monroe, Hampton Roads, Virginia, fifty thousand dollars.

Fort Taylor

For Fort Taylor, Key West, Florida, fifty thousand dollars.

Fort Jefferson

For Fort Jefferson, Garden Key, Tortugas, fifty thousand dollars.

Fort Clinch;

For Fort Clinch, Amelia Island, Florida, twenty-five thousand dollars.

at Fort Point;

For Fort at Fort Point, San Francisco bay, California, fifty thousand dollars.

at Lime Point;

For Fort at Lime Point, California, fifty thousand dollars.

at Alcatraz Island;

For Fort at Alcatraz Island, San Francisco bay, California, one hundred thousand dollars.

Fort Preble;

For Fort Preble, Portland harbor, Maine, fifty thousand dollars.

Fort McClary;

For Fort McClary, Portsmouth harbor, New Hampshire, fifty thousand dollars.

Fort Independence;

For Fort Independence, Boston harbor, Massachusetts, fifty thousand dollars.

Survey of northern, &c. lakes.

For survey of northern and northwestern lakes, one hundred and fifty thousand dollars.

Fort Montgomery

For Fort Montgomery, at the outlet of Lake Champlain, twenty-five thousand dollars.

Purchase, &c.

For purchase and repair of instruments, ten thousand dollars.

Purchase of sites now occupied and lands proposed to be occupied for permanent sea-coast defences: Provided, That no such purchase shall be made except upon the approval of its expediency by the Secretary of War and of the validity of the title by the Attorney-General, fifty thousand dollars.

Purchase of sites now occupied by temporary sea-coast defences: Provided, That no such purchase shall be made except upon the approval of its expediency by the Secretary of War and of the validity of the title by the Attorney-General, twenty-five thousand dollars.

Barracks, &c.

For construction and repair of barracks and quarters for engineer troops, near St. Louis, Missouri, twenty thousand dollars.

at Willett’s Point;

For construction and repairs of barracks for engineer troops at the depot of engineer supplies near St. Louis, Missouri, twenty-five thousand dollars.

SEC. 2. And be it further enacted, That there shall not be over fifty per cent of the foregoing appropriations expended during the fiscal year ending thirtieth June, eighteen hundred and sixty-eight, and the residue thereof shall not be expended till otherwise ordered.

SEC. 3. And be it further enacted, That, in order to determine the relative powers of resistance of the turret and the broadside systems of iron-clad vessels of war, and whether or not our present heaviest guns are adequate to the rapid destruction of the heaviest plated ships now built, or deemed practicable on either system, and whether or not our best stone forts will resist our heaviest guns, and if not what increase in strength by adding either stone or iron or variation in form is necessary
to that end, the Secretary of War and the Secretary of the Navy are hereby authorized to detail a joint board of not less than six competent officers, three from the army and three from the navy, whose duty it shall be to construct and test by firing upon them, such targets as they may deem necessary for the purposes above named. And the Secretary of War and the Secretary of the Navy are hereby authorized and directed to supply the board with such facilities for this purpose as they may require: Provided, it can be done from the unexpended funds and materials now at their disposal, the expenses to be borne equally by the War and Navy Departments, and from such funds at their disposal as the Secretary of War and the Secretary of the Navy may designate respectively.

Approved, March 2, 1867.

CHAP. CLXXII—An Act making Appropriations for the Naval Service for the Year ending thirtieth June, eighteen hundred and sixty-eight.

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, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-eight.

For pay of commission, warrant, and petty officers and seamen, ten millions eight hundred and twenty-six thousand two hundred and eighty dollars.

Bureau of Yards and Docks.—For contingencies that may accrue for the following purposes, viz: For freight and transportation; for printing, advertising, and stationery; for books, models, and drawings; for the purchase and repair of fire-engines; for machinery of every description, and patent right to use the same; for purchase and maintenance of oxen and horses, and driving teams; for carts, timber-wheels, and workmen's tools; for telegrams and postage of letters on public service; for furniture for government offices and houses; for coals and other fuel; for candles, oil, and gas; for cleaning and clearing up yards; for flags, awnings, and packing boxes; for pay of watchmen; for incidental labor at navy yards not applicable to any other appropriation; for rent of landings; for tolls and ferriages; for water tax; and for rent of stores, one million and sixty-seven thousand dollars.

Navy Yard at Portsmouth, New Hampshire.—For completing reservoirs and gutters, two thousand five hundred dollars.

Navy Yard at Boston.—For repairs of all kinds, sixty-four thousand five hundred dollars.

Navy Yard at New York.—For repairs of all kinds, one hundred and sixty-three thousand six hundred dollars.

Naval Laboratory, New York.—For repairs of apparatus, machinery fixtures, painting, glazing, wagons, furniture, and so forth, thirty-five hundred dollars.

Navy Yard at Philadelphia.—For repairs of all kinds, fifty-one thousand and sixteen dollars.

Navy Yard at Washington.—For repairs of all kinds, eighty thousand dollars; and the Secretary of the Navy is hereby authorized and directed to receive and accept a deed of gift, when offered by the State of Connecticut, of a tract of land situated in the Thames river, near New London, Connecticut, with a water front of not less than one mile, to be held by the United States for naval purposes.

Navy Yard at Pensacola.—For repairs of all kinds, eighty thousand four hundred and sixty dollars.

Navy Yard at Mare Island.—For gas house, four thousand and seven dollars.
For cisterns for building number forty-one and officers' houses, seven thousand two hundred and fifty dollars.

For repairs of all kinds, sixty thousand dollars.

**Naval Station at Sackett's Harbor.**—For repairs and general care of public property, two thousand dollars.

**Naval Station at Mound City, Illinois.**—For repairs and general care of public property, ten thousand dollars.

**Naval Asylum at Philadelphia.**—For furniture and repairs of same, one thousand dollars.

For the purchase of books, under the direction of the governor of the asylum for the increase of the sailors' library in that institution, one thousand dollars.

For house-cleaning and whitewashing, eight hundred dollars.

For furnaces, grates, and ranges seven hundred dollars.

For gas and water rent, one thousand five hundred dollars.

For improvement of grounds, five hundred dollars.

For wharves and lots, eight hundred dollars.

For repairs of forts, three thousand dollars.

For improvement of cemetery, three thousand dollars.

For pay of superintendents and the civil establishment at the several navy yards and stations under the control of the bureau of yards and docks and at the naval asylum, one hundred and fifty-eight thousand dollars.

**Civil engineers and naval storekeepers, how appointed.**

Master mechanics, &c. to be skilled, and appointed from civil life.

**Collection of facts, &c. to illustrate the history of the navy.**

For pay of some suitable person appointed by the Secretary of the Navy to examine the archives of the department and other sources of information, and collect and collate the facts which may illustrate the history of the United States navy, fifteen hundred dollars.

**Bureau of Navigation.**—For navigation apparatus and supplies, and for purposes incidental to navigation, two hundred and eighty-five thousand six hundred and twenty-six dollars.

**Naval academy.**

For expenses of naval academy, viz: for pay of civil officers, professors, watchmen, and others, contingent expenses, improvements and repairs, two hundred and eighty-three thousand nine hundred and thirteen dollars.

**Naval observatory.**

For expenses of naval observatory, viz: [for] pay of assistant astronomer, three aids, and clerk; for wages of instrument maker, two watchmen, porter and messenger; for keeping grounds in order, and repairs to buildings and enclosures; for fuel, light, office furniture, and stationery, and for freight, transportation, postage, and incidental expenses, twenty-one thousand five hundred dollars.

For preparing for publication the American Nautical Almanac, twenty-one thousand dollars.

**Visitors to naval academy.**

For payment of expenses of visitors to the naval academy, two thousand dollars.

**Bureau of Equipment and Recruiting.**—For the payment of Bounties to discharged seamen, five hundred thousand dollars.

For expenses that may accrue for the following purposes, namely: expenses of recruiting, transportation of men, printing and stationery, advertising in public newspapers, postage on public letters, wharfage and demurrage, apprehension of deserters, assistance to vessels in distress, &c. five hundred thousand dollars.
THIRTY-NINTH CONGRESS. Sess. II. Ch. 172. 1867.

Bureau of Construction and Repair.—For pay of superintendents and the civil establishment at the several navy yards under this bureau, sixty-three thousand dollars.

Bureau of Steam Engineering.—For pay of superintendents and the civil establishment at the several navy yards under this bureau, twenty-four thousand dollars.

Bureau of Provisions and Clothing.—For pay of the civil establishment at the several navy yards and at the naval asylum, eighteen thousand one hundred and fifty dollars.

Bureau of Medicine and Surgery.—For pay of the civil establishment at the several navy yards and at the naval asylum, eighteen thousand one hundred and fifty dollars.

For contingent expenses of the bureau of medicine and surgery, twenty-five thousand dollars.

For pay of the civil establishment, under the bureau of medicine and surgery, at the several naval hospitals and navy yards, sixty thousand seven hundred and sixty-three dollars.

Naval Hospital, Boston.—For repairs and improvements of all kinds, including roads, buildings, fences, walls, farm, garden, painting, glazing, blacksmiths', plumbers', and masons' work, furniture, and so forth, seven thousand two hundred dollars.

Naval Hospital, New York.—For repairs and improvements of all kinds, including the buildings, out-houses, walls, fences, cemetery, furniture, and so forth, twelve thousand five hundred dollars.

Naval Hospital, Philadelphia.—For repairs and improvements of all kinds, including the buildings, fences, walls, cemetery, furniture, and so forth, seven thousand five hundred dollars.

Naval Hospital, Mare Island, California.—For repairs and improvements of all kinds, including the buildings, fences, walls, cemetery, furniture, and so forth, three thousand two hundred dollars.

Marine Corps.—For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, steward and nurse, and servants; for rations and clothing for officers' servants; for undrawn clothing, nine hundred and sixty-seven dollars; for drawings clothing, nine hundred and sixty-seven dollars and sixty-seven cents.

For provisions, one hundred and sixty-nine thousand nine hundred and seven dollars and fifty cents.

For clothing, two hundred and ninety-two thousand one hundred and eighty-six dollars and eighty-four cents.

For fuel, thirty thousand one hundred and seventeen dollars.

For military stores, viz: Pay of mechanics, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fife, and other instruments, sixteen thousand dollars.

For transportation of officers, their servants, troops, and expenses of recruiting, twenty-five thousand dollars.

For repairs of barracks, and rent of offices where there are no public buildings, fifteen thousand dollars.

For contingencies, viz: Freight; ferriage; toll; cartage; wharfage; purchase and repair of boats; compensation to judges advocates; for dining for attending courts-martial, courts of inquiry, and for constant labor; house rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures; water rent, forage, straw, barrack furniture; furniture for officers' quarters; bed sacks, wrapping paper, oil-cloth, crash, rope, twine, spades, shovels, axes, picks, carpenters' tools;
Marine corps. Contingencies.

keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital headquarters; repairs to fire engines; purchase and repair of engine hose; purchase of lumber for benches, mess tables, and bunks; repairs to public carryall; purchase and repair of harness; purchase and repair of handcarts and wheelbarrows; scavengering; purchase and repair of galleys, cooking stoves, ranges; stoves where there are no grates; gravel for parade grounds; repair of pumps; furniture for staff and commanding officers' offices; brushes, brooms, buckets, paving, and for other purposes, eighty thousand dollars.

SEC. 2. And be it further enacted, That the Secretary of the Navy be, and he is hereby, authorized and empowered to negotiate with the city of Brooklyn, in the State of New York, and to effect a further exchange of lands in Wallabout Bay, between the United States and the said city, and thereupon to make, execute, and deliver good and sufficient deeds and releases therefor: Provided, That the title acquired shall be approved by the Attorney-General and the exchange shall be effected without expenditure from the treasury of the United States.

SEC. 3. And be it further enacted, That no officer or employee of the government shall require or request any workingman in any navy yard to contribute or pay any money for political purposes, nor shall any workingman be removed or discharged for political opinion; and any officer or employee of the government who shall offend against the provisions of this section shall be dismissed the service of the United States.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXXIII.—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 thirty, eighteen hundred and sixty-eight.

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 for expenses of the Indian Department and treaty stipulations.

For the current and contingent expenses of the Indian Department, namely,—

For the pay of superintendents of Indian affairs and of Indian agents, one hundred and ten thousand five hundred and fifty dollars.

For pay of sub-agents, six thousand dollars.

For pay of clerk to superintendent at St. Louis, Missouri, one thousand two hundred dollars.

For pay of temporary clerks by superintendents of Indian affairs, five thousand dollars.

For pay of clerk to superintendent of Indian affairs in California, one thousand eight hundred dollars.

For pay of interpreters, twenty-eight thousand four hundred dollars.

For presents to Indians, five thousand dollars.

For provisions for Indians, eleven thousand eight hundred dollars.

For buildings at agencies and repairs thereof, ten thousand dollars.

For contingencies of the Indian Department, thirty-six thousand five hundred dollars.

For fulfilling treaty stipulations with the various Indian tribes:—

Apaches.

For second of forty instalments, to be expended under the direction of the Secretary of the Interior, according to the terms of the second article treaty, October seventeenth, eighteen hundred and sixty-five, sixteen thousand dollars.

For this amount, or so much thereof as may be necessary, for the transportation of goods, provisions, and so forth, purchased for the Apache Indians, according to the terms of the same article of same treaty, three thousand five hundred dollars.
Arapaho and Cheyenne Indians of the Upper Arkansas River. — For second of forty instalments, to be expended under the direction of the Secretary of the Interior, according to the terms of the seventh article of the treaty of October fourteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, fifty-six thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Arapaho and Cheyenne Indians of the Upper Arkansas river, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, twenty thousand dollars.

Assiniboines. — For first of payments to be made during the pleasure of Congress, to be expended at the discretion of the President in such articles, goods, and provisions as he may from time to time determine; ten thousand dollars of which may be expended in the purchase of stock animals, agricultural implements; in instructing in agricultural and mechanical pursuits; in employing mechanics; in educating their children; providing necessary and proper medicines and medical attendance; care for and support of their aged, infirm, and sick; for their helpless orphans, and in any other respect to promote their civilization, comfort, and improvement; and also for pay of head chief, thirty thousand dollars.

Arikarees, Gros Ventres, and Mandans. — For first of payments to be made during the pleasure of Congress, to be expended in such goods, provisions, and other articles as the President may from time to time determine; five thousand dollars of which may be expended in the purchase of stock animals, agricultural implements; in instructing in agricultural and mechanical pursuits; in employing mechanics; in educating their children; providing medicines and medical attendance; care for and support of the aged, sick, and infirm; for the helpless orphans of said Indians, and in any other respect to promote their civilization, comfort, and improvement, and also for pay of head chief, soldier chiefs, second chiefs, and Pierre Gavreau for his services to the Arikarees, forty thousand dollars.

Cheyennes of the Upper Platte River. — For this amount, the Cheyennes near Fort Laramie, to be placed at the disposal of the President, to be expended by him or under his direction in such manner as will best tend to sustain peaceable relations with said Indians, ten thousand dollars.

Camanches and Kioways. — For second of forty instalments, to be expended under the direction of the Secretary of the Interior, according to the terms of the fifth article of the treaty of October eighteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, forty thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Camanche and Kioway Indians, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, or so much thereof as may be necessary, eight thousand dollars.

Camanches, Kiowas, and Apaches of Arkansas River. — For the fourth of five instalments, being the second series for the purchase of goods, provisions, and agricultural implements, per sixth article of the treaty of twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

For expenses of transportation of the fourth of five instalments of goods, provisions, and agricultural implements, per sixth article of the treaty, twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Kalapooias, Molalla, and Clackamas Indians, of Willamette Valley. — For third of five instalments of the third series of annuity for beneficial objects, per second article of the treaty of twenty-second January, eighteen hundred and fifty-five, six thousand five hundred dollars.

Chasta, Scoton, and Umpqua Indians. — For thirteenth of fifteen instalments of annuity, to be expended as directed by the President, per third article of the treaty of eighteenth November, eighteen hundred and fifty-four, two thousand dollars.
For thirteenth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For thirteenth of fifteen instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For thirteenth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas, Menomones, Winnebagos, and New York Indians. — For educational purposes during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Chippewas of Saginaw, Swan Creek, and Black River. — For last of two equal instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of August second, eighteen hundred and fifty-five, eighteen thousand eight hundred dollars.

Chippewas of Lake Superior. — For thirteenth of twenty instalments in coin, per fourth article treaty thirtieth September, eighteen hundred and fifty-five, five thousand dollars.

For thirteenth of twenty instalments in goods, household furniture, [and] cooking utensils, per fourth article treaty thirtieth September, eighteen hundred and fifty-five, eight thousand dollars.

For thirteenth of twenty instalments for agricultural implements, and cattle, carpenters' and other tools, and building materials, per fourth article treaty thirtieth September, eighteen hundred and fifty-five, three thousand dollars.

For thirteenth of twenty instalments for moral and educational purposes, three hundred dollars of which to be paid to the Grand Portage band yearly to enable them to maintain a school at their village, per fourth article treaty thirtieth September, eighteen hundred and fifty-five, three thousand dollars.

For thirteenth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-five, five thousand and forty dollars.

For thirteenth of twenty instalments for the support of six smiths' shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-five, one thousand three hundred and twenty dollars.

For support of a smith, assistant, and shop for the Bois Fort band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-five, and third article treaty of April seventh, eighteen hundred and sixty-six, one thousand and sixty dollars.

For support of two farmers for the Bois Fort band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-five, and third article treaty of April seventh, eighteen hundred and sixty-six, one thousand and sixty dollars.

For insurance, transportation, and necessary cost of delivery of annuities and provisions for Chippewas of Lake Superior, five thousand seven hundred and sixty-two dollars and sixty-three cents.

Bois Fort Band of Chippewas. — For second of twenty instalments, for the support of one blacksmith and assistant, and for tools, iron and steel, and other articles necessary for the blacksmith shop, as per third article treaty of April seventh, eighteen hundred and sixty-six, one thousand five hundred dollars.
For second of twenty instalments, for the support of one school teacher, and for necessary books and stationery, as per third article treaty of April seventh, eighteen hundred and sixty-six, eight hundred dollars.

For second of twenty instalments for the instruction of the Indians in farming, and purchase of seeds, tools, and so forth, as per third article treaty of April seventh, eighteen hundred and sixty-six, eight hundred dollars.

For second of twenty instalments of annuity in money, to be paid per capita, as per third article treaty of April seventh, eighteen hundred and sixty-six, three thousand five hundred dollars.

For second of twenty instalments of annuity in provisions, ammunition, and tobacco, as per third article treaty of April seventh, eighteen hundred and sixty-six, one thousand dollars.

For second of twenty instalments of annuity in goods and other articles, as per third article treaty of April seventh, eighteen hundred and sixty-six, six thousand five hundred dollars.

For transportation and necessary cost of delivery of annuity goods and provisions to the Bois Fort band of Chippewa Indians, as per sixth article treaty of April seventh, eighteen hundred and sixty-six, one thousand five hundred dollars.

Chippewa of the Mississippi. For first of ten instalments of the second series in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty seventh May, eighteen hundred and sixty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

For first of ten instalments of the second series for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty seventh May, eighteen hundred and sixty-four, four hundred dollars.

For first of ten instalments of the second series, in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty seventh May, eighteen hundred and sixty-four, three thousand five hundred dollars.

For first of ten instalments of the second series for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty seventh May, eighteen hundred and sixty-four, six hundred and sixty-six dollars and sixty-seven cents.

For first of ten instalments of second series, for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty seventh May, eighteen hundred and sixty-four, six hundred and sixty-six dollars and sixty-seven cents.

For first of ten instalments of the second series for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty seventh May, eighteen hundred and sixty-four, six hundred and sixty-six dollars and sixty-seven cents.

For first of ten instalments of the second series, for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty seventh May, eighteen hundred and sixty-four, six hundred and sixty-six dollars and sixty-seven cents.
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Chippewas of the Mississippi.

four, and third article treaty May seventh, eighteen hundred and sixty-four, three hundred and thirty-three dollars and thirty-three cents.

For thirteenth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

For the eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, and twenty-first of twenty-six instalments, to be paid the Chippewas of the Mississippi, as per third article treaty of August second, eighteen hundred and forty-seven, eleven thousand dollars.

Vol. ix. p. 904.

Chippewas, Pillagers, and Lake Winnebagoshish Bands.—For thirteenth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

For the eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, and twenty-first of twenty-six instalments, to be paid the Chippewas of the Mississippi, as per third article treaty of August second, eighteen hundred and forty-seven, eleven thousand dollars.

Vol. x. p. 1185.

Chippewas, Pillagers, and Lake Winnebagoshish bands.

Vol. xii. p. 694.

For insurance, transportation, and necessary cost of delivery of annuities and provisions for Chippewas of Mississippi, three thousand eight hundred and sixty-six dollars and seventy-five cents.

Chippewas, Pillager, and Lake Winnebagoshish Bands.—For thirteenth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

Vol. xii. p. 694.

For the employment of two carpenters, one thousand eight hundred dollars, and two blacksmiths, one thousand eight hundred dollars; four farm laborers, two thousand four hundred dollars; one physician, one thousand two hundred dollars; and medicine for the sick, five hundred dollars, per fifth article treaty May seven, eighteen hundred and sixty-four, seven thousand seven hundred dollars.

For pay of an engineer to grist and saw mill at Leech Lake, six hundred dollars.

Chippewas of the Mississippi, Pillagers and Lake Winnebagoshish Bands of Chippewa Indians in Minnesota.—For fourth of ten instalments to furnish said Indians with ten yoke of good work oxen, twenty log-chains, two hundred grubbing hoes, ten ploughs, ten grindstones, one hundred axes (handled), twenty spades, and other farming implements, per fifth article treaty May seven, eighteen hundred and sixty-four, one thousand five hundred dollars.

For the employment of two carpenters, one thousand eight hundred dollars, and two blacksmiths, one thousand eight hundred dollars; four farm laborers, two thousand four hundred dollars; one physician, one thousand two hundred dollars; and medicine for the sick, five hundred dollars, per fifth article treaty May seven, eighteen hundred and sixty-four, seven thousand seven hundred dollars.

For this amount, to be applied towards the support of a saw-mill to be built for the common use of the Chippewas of Mississippi, and the Red Lake and Pembina bands of Chippewas, so long as the President may deem it necessary, per sixth article treaty May seven, eighteen hundred and sixty-four, one thousand dollars.

For pay of services and travelling expenses or a board of visitors, to consist of not more than five persons, to attend the annuity payments to the Indians, and to inspect the fields, buildings, mills, and other improvements, as stipulated in the seventh article treaty May seven, eighteen hundred and sixty-four, not exceeding any one year more than twenty days' service, at five dollars per day, or more than three hundred miles' travel, at ten cents per mile, six hundred and fifty dollars.

For pay of female teachers employed on the reservation to instruct Indian girls in domestic economy, one thousand dollars, as per thirteenth article treaty May seventh, eighteen hundred and sixty-four.
Chippewas of Red Lake, and Pembina Tribe of Chippewas.—For this amount as annuity to be paid per capita to the Red Lake band of Chippewas, during the pleasure of the President, per third article treaty second October, eighteen hundred and sixty-three, and second article supplementary to treaty twelfth April, eighteen hundred and sixty-four, ten thousand dollars.

For this amount to the Pembina band of Chippewas, during the pleasure of the President, per same treaty, five thousand dollars.

For the fourth of fifteen instalments for the purpose of supplying the Red Lake band of Chippewas with gilling twine, cotton matter, calico, linsey, blankets, sheeting, flannels, provisions, farming tools, and for such other useful articles, and for such other useful purposes as may be deemed for their best interests, per third article supplementary treaty of twelfth April, eighteen hundred and sixty-four, eight thousand dollars.

For the fourth of fifteen instalments for same objects for the Pembina band of Chippewas, per same treaty, four thousand dollars.

For fourth of fifteen instalments for pay of one blacksmith, one physician, who shall furnish medicine for the sick, one miller, and one farmer, per fourth article of same treaty, three thousand nine hundred dollars.

For fourth of fifteen instalments for the purchase of iron and steel and other articles for blacksmithing purposes, per same treaty as above, one thousand five hundred dollars.

For fourth of fifteen instalments, to be expended for carpentering and other purposes, per same treaty, one thousand dollars.

For fourth of fifteen instalments, to defray the expenses of a board of visitors, to consist of not more than three persons, to attend upon the annuity payments of the said Chippewa Indians, whose pay shall not exceed five dollars per day each, and for not more than twenty days, and ten cents per mile for travelling expenses, and not to exceed three hundred miles, per sixth article treaty October second, eighteen hundred and sixty-three, three hundred and ninety dollars.

For insurance and transportation of annuity goods and provisions, and iron and steel for blacksmiths, for the Chippewas of Red Lake and Pembina tribe, five thousand dollars.

Chickasaws.—For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

For this amount, to pay the interest on certain non-paying stock, held in trust by the Secretary of the Treasury for the Chickasaw Indians, for the two fiscal years ending June thirty, eighteen hundred and sixty-eight, per tenth article treaty of April twenty-eight, eighteen hundred and sixty-six, one hundred and nineteen thousand eight hundred and fifty-nine dollars and ninety-eight cents: Provided, That the Attorney-General of the United States shall be and he is hereby instructed to inquire into the condition of all funds held in trust by the United States for said tribe, and for all other tribes of Indians, and what remedy exists for the security of the United States in respect to the non-paying stocks so held, and the value thereof, what stocks are non-paying, and what proceedings should be taken for the security of the United States in respect to the same, and report thereon to Congress on the first Monday of December next.

Choctaws.—For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and sixty-eight, three thousand dollars.

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent annuity for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article...
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Choctaws. treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

For permanent annuity for support of blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, ninth article treaty January twenty, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent annuity for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum per annum, for education, support of the government, and other beneficial purposes, under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.

Middle Oregon.

For eighth of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For eighth of twenty instalments for salary of the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

Confederated Tribes and Bands of Indians in Middle Oregon. — For third of five instalments, second series, for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, six thousand and fifty-five, six thousand dollars.

For eighth of fifteen instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school-teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

For eighth of twenty instalments for salary of the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

Creeks. — For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

For permanent annuity for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For iron and steel for shop, during the pleasure of the President, per
fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For wagon-maker, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For assistance in agricultural operations, during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For education, during the pleasure of the President, per fifth article treaty, fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand dollars.

For five per centum interest on two hundred thousand dollars for purposes of education, per sixth article treaty seventh August, eighteen hundred and fifty-six, ten thousand dollars.

For interest on seven hundred and seventy-five thousand one hundred and sixty-eight dollars, at the rate of five per centum per annum, to be expended under the direction of the Secretary of the Interior, thirty-eight thousand seven hundred and fifty-eight dollars and forty cents, under provisions of third article treaty June fourteenth, eighteen hundred and sixty-six.

For transportation of such articles as may be purchased for the Creek nation under treaty of June fourteenth, eighteen hundred and sixty-six, five thousand dollars.

Cherokees.—For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause a census of each tribe to be taken, under provisions of the twelfth article of the treaty of July nineteenth, eighteen hundred and sixty-six, twenty-five hundred dollars.

For provisions and clothing furnished the army under Ap-po-to-le-ha-le Post, p. 755, in the winter of eighteen hundred and sixty-one-two, per twenty-eighth article of treaty of July nineteenth, eighteen hundred and sixty-six, ten thousand dollars.

For pay of losses of property by missionaries, or missionary societies, on account of the troops and agents of the United States, treaty July nineteenth, eighteen hundred and sixty-six, thirtieth article, twenty thousand dollars.

Crows.—For first of payments to be made during the pleasure of Congress, to be expended for such useful goods, provisions, and other articles as the President from time to time may determine; eight thousand dollars of which instalment may be expended in the purchase of stock animals, agricultural implements; in the employment of mechanics; in educating their children; in providing necessary medicines and medical attendance; care for and support of the aged, infirm, or sick, for the helpless orphans of said Indians, and in any other respect to promote their civilization, comfort, and improvement, and also for pay of head chief, twenty-five thousand dollars.

For this amount for pay of sixteen half-breeds, in goods or money, at the discretion of the President — fifty dollars each — eight hundred dollars.

Delawares.—For life annuity to chief, per private article to supplemental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars.
For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine for education, two thousand three hundred and four dollars, per Senate resolution January nineteenth, eighteen hundred and thirty-eight, and fifth article treaty of May sixth, eighteen hundred and fifty-six.

For this amount, to be placed to the credit of the Delawares in the purchase of their new reservation in the Indian country, by provisions of treaty of July fourth, eighteen hundred and sixty-six, fourteen article, thirty thousand dollars.

For eighth of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

For eighth of twenty instalments for the employment of an blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For eighth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For eighth of twenty instalments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

For eighth of twenty instalments for keeping in repair the buildings required for the various employees, and furnishing necessary furniture...
therefore, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For eighth of twenty instalments for the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, fifteen hundred dollars.

For insurance and transportation of annuity goods and provisions, per fifth article of treaty of July sixteenth, eighteen hundred and sixty-five, eleven thousand nine hundred and twenty dollars and forty-one cents.

Iowas. — For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first of July, eighteen hundred and sixty-seven, at five per centum per annum, for education or other beneficial purposes, under the direction of the President, per ninth article of treaty of May seventeenth, eighteen hundred and sixty-seven, two thousand eight hundred and seventy-five dollars.

Kansas. — For interest in lieu of investment on two hundred thousand dollars, at five per centum per annum, ten thousand dollars, per second article treaty of January fourteenth, eighteen hundred and forty-six.

Kickapoos. — For fourteenth instalment of interest, at five per centum, on one hundred thousand dollars, for educational and other beneficial purposes, as per second article treaty May eighteenth, eighteen hundred and fifty-four, five thousand dollars.

For fourteenth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-eight, per second article treaty eighteenth May, eighteen hundred and fifty-four, seven thousand dollars.

Klamath and Modoc Indians. — For second of five instalments, to be applied under direction of the President, as per second article treaty of October fourteenth, eighteen hundred and sixty-four, eight thousand dollars.

For first of twenty instalments for keeping in repair one saw-mill, one flouring-mill, buildings for the blacksmith, carpenter, and wagon and plough maker, the manual-labor school, and hospital, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four, one thousand dollars.

For second of twenty instalments for the purchase of tools and material for saw and flour mills, carpenter, blacksmith, wagon and plough maker's shops, and books and stationery for the manual-labor school, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four, one thousand five hundred dollars.

For second of fifteen instalments for pay and subsistence of one superintendent of farming, one farmer, one blacksmith, one Sawyer, one carpenter, and one wagon and plough maker, as per fifth article treaty of October fourteenth, eighteen hundred and sixty-four, six thousand dollars.

For second of twenty instalments to pay salary and subsistence of one physician, one miller, and two school teachers, as per fifth article treaty of October fourteenth, eighteen hundred and sixty-four, three thousand six hundred dollars.

Makah Tribe. — For second of four instalments of thirty thousand dollars, (being the fourth series,) under direction of the President, as per fifth article of treaty of January thirty-first, eighteen hundred and fifty-five, one thousand five hundred dollars.

For eighth of twenty instalments for the support of an agricultural and industrial school, and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For eighth of twenty instalments for support of a smith and carpenter's shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.
For eighth of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, four thousand six hundred dollars.

For last of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty June fifth, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents.

For second of fifteen instalments of annuity upon two hundred and forty-two thousand six hundred and eighty-six dollars, for cession of lands, per fourth article treaty May twelfth, eighteen hundred and fifty-four, and Senate amendment thereto, sixteen thousand one hundred and seventy-nine dollars and six cents.

For twelfth of fifteen instalments for pay of miller, per third article treaty May twelfth, eighteen hundred and fifty-four, six hundred dollars.

For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighteen, and fourth article treaty June fifth, eighteen hundred and fifty-four, six hundred dollars.

For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty June fifth, eighteen hundred and fifty-four, two thousand five hundred dollars.

For eighth of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.

For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, uninvested, at five per centum, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents.

For permanent annuity in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine, two hundred and fifty dollars.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

For eighth of ten instalments for keepin in repair saw and flouring mills, and for the pay of necessary employees, the benefits of which to be shared alike by all the confederated bands, per second article treaty twenty-first December, eighteen hundred and fifty-five, three hundred and ninety dollars.

For eighth of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, two thousand five hundred dollars.

For pay of teachers to manual-labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand dollars.

For thirteenth installment, in part payment for relinquishment of title to lands,
to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, twelve hundred dollars.

For thirteenth of twenty instalments for pay of instructor, smith, physician, who shall furnish medicine to the sick, carpenter, and farmer, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Nez Perce Indians. — For third of five instalments of second series for beneficial objects, at the discretion of the President, per fourth article treaty of June eleventh, eighteen hundred and fifty-five, eight thousand dollars.

For eighth of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For eighth of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For eighth of twenty instalments for keeping in repair blacksmiths', tin smiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For eighth of twenty instalments for the employment of one superintendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For eighth of twenty instalments for keeping in repair saw and flouring mill, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For eighth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For eighth of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For eighth of twenty instalments for keeping in repair the buildings for the various employees, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For eighth of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For second of four instalments to enable the Indians to remove and locate upon the reservation, to be expended in ploughing land and fencing lots, as per first clause fourth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, forty thousand dollars.

For salary of two subordinate chiefs, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, one thousand dollars.
For first of fifteen instalments to keep the blacksmith's shops in repair and stocked with the necessary tools and materials, per fifth article treaty June ninth, eighteen hundred and sixty-three, five hundred dollars.

For first of fifteen instalments for repairs of houses, mills, shops, and so forth, and providing the necessary furniture, tools, and materials, as per article fifth treaty June ninth, eighteen hundred and sixty-three, two thousand dollars.

For salary of two matrons to take charge of the boarding-schools, two assistant teachers, one farmer, one carpenter, and two millers, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, seven thousand six hundred dollars.

Omahas. — For the last of ten instalments of this amount, being second of series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

For second of ten instalments for keeping in repair a grist and saw mill, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, three hundred dollars.

For second of ten instalments, for pay of one engineer and assistant, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, one thousand eight hundred dollars.

For second of ten instalments, for pay of one miller and assistant, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, one thousand two hundred dollars.

For second of ten instalments, for pay of farmer, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, nine hundred dollars.

For second of ten instalments, for pay of blacksmith and assistants, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, three hundred dollars.

Osages. — For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land, set apart for educational purposes, per sixth article treaty June second, eighteen hundred and twenty-five, and Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

For interest on three hundred thousand dollars, at five per centum per annum, to be paid semi-annually in money or such articles as the Secretary of the Interior may direct, as per first article treaty of September twenty-nine, eighteen hundred and sixty-five, fifteen thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Great and Little Osage Indians, or so much thereof as [may] be necessary, three thousand five hundred dollars.

Ottawas and Chippewas of Michigan. — For interest on two hundred and six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per third article of the treaty of thirty-first July, eighteen hundred and sixty-five, ten thousand three hundred dollars.

Ottawas and Missourias. — For last of ten instalments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars.
Pawnees. — For annuity perpetual, at least one half of which to be paid in goods and such articles as may be deemed necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, thirty thousand dollars.

For support of two manual-labor schools, annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel and other necessaries for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tinsmith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article of treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For last of ten instalments for farming utensils and stock, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For ninth of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For ninth of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For keeping in repair the grist and saw mill, three hundred dollars.

Poncas. — For the fourth of ten instalments of the second series, “to be paid to them or expended for their benefit,” per second article treaty twelfth March, eighteen hundred and fifty-eight, ten thousand dollars.

For ninth of ten instalments for the establishment and maintenance of one or more manual-labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

For ninth of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

Pottawatomies. — For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars.

For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars.

For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.

For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars.

For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.
For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and fourth article treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars.

For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars.

For permanent provision for three blacksmiths and assistants, and for iron and steel for shops, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand eight hundred and twenty dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, four hundred and thirty-seven dollars and fifty cents.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Pottawatomies of Huron. — For permanent annuity in money or otherwise, per second article treaty of seventeenth November, eighteen hundred and seven, four hundred dollars.

Quapaws. — For education, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars.

For blacksmith and assistant, and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

Qui-nai-elts and Quil-leh-ute Indians. — For the second of four instalments on twenty-five thousand dollars (being the fourth series) for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five, one thousand three hundred dollars.

For eighth of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article [treaty] first July, eighteen hundred and fifty-five, two thousand five hundred dollars.

For eighth of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician who shall furnish medicines for the sick, per tenth article treaty first July, eighteen hundred and fifty-five, four thousand six hundred dollars.

Rogue Rivers. — For fourteenth of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars.

Sacs and Foxes of Mississippi. — For permanent annuity in goods or
THIRTY-NINTH CONGRESS. Sess. II. Ch. 173. 1867.

otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars.

For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars.

For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars: Provided, That the band of Sacs and Foxes of the Mississippi now in Tamar county, Iowa, shall be paid pro rata, according to their numbers, of the annuities, so long as they are peaceful and have the assent of the government of Iowa to reside in that State.

Sacs and Foxes of Missouri.—For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars.

For interest on two hundred thousand dollars, at five per centum, (they having joined their brethren west,) per third article treaty of March twenty-first, eighteen hundred and sixty-six, twenty-five hundred dollars.

For interest on twenty thousand dollars, at the rate of five per centum, per annum, "to be paid annually for the support of schools," as per third article treaty of March twenty-first, eighteen hundred and sixty-six, fifteen hundred dollars.

For miller, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.

Senecas of New York.—For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars.

For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars.

For interest, at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

Senecas and Shawnees.—For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.
tieth July, eighteen hundred and thirty-one, one thousand and sixty dollars.

Shawnees. — For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.

For fourteenth installment of interest, at five per centum, on forty thousand dollars for education, per third article treaty May, eighteen hundred and fifty-four, two thousand dollars.

For permanent annuity, in specie, for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty May, eighteen hundred and fifty-four, two thousand dollars.

Shoshones; Western Bands. — For fourth of twenty installments, to be expended, under the direction of the President, in the purchase of such articles as the Secretary of the Interior may deem suitable to their wants, either as hunters or herdsmen, per seventh article treaty October first, eighteen hundred and sixty-three, ten thousand dollars.

Eastern bands; Eastern Bands. — For second of twenty installments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, seven thousand dollars.

Lower Brule Band. — For second of twenty installments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October fourteenth, eighteen hundred and sixty-five, six thousand dollars.

Ou-keh-pah-pah. — For second of twenty installments, being thirty dollars for each lodge or family, (three hundred lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, nine thousand dollars.

Ogallala Band. — For second of twenty installments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred and sixty-five, ten thousand dollars.

For this amount, for the Brule and Ogallala bands of Sioux, to be placed at the disposal of the President, to be expended by him or under his direction, in such manner as will best tend to sustain peaceable relations with said Indians, thirty-five thousand dollars.
Sans Arcs Band. — For second of twenty instalments, being thirty dollars to each lodge or family, (two hundred and eighty lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, eight thousand four hundred dollars.

Two Kettles Band. — For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, six thousand dollars.

Upper Yanktonais Band. — For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October eighteenth, eighteen hundred and sixty-five, ten thousand dollars.

Yanktonais Band. — For second of twenty instalments, being thirty dollars for each lodge or family, (three hundred and fifty lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, ten thousand five hundred dollars.

Sioux of Dakota. — For expense of transporting and delivering articles furnished for the nine bands of Sioux aforesaid, as required by treaties made at Fort Sully in October, eighteen hundred and sixty-five, twenty thousand dollars.

Lower Brutes. — For first of five instalments, being twenty-five dollars for each lodge or family engaged in agricultural pursuits on their reservation, (one hundred lodges,) to be expended in stock, agricultural and other implements, and improvements, under the direction of the Secretary of the Interior, the said stock, and so forth, to remain the property of the United States, to be used for the benefit of said lodges or families, and in no case to be sold or alienated by said band, per sixth article treaty of October fourteen, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, two thousand five hundred dollars.

For pay of farmer, per sixth article treaty of October fourteen, eighteen hundred and sixty-five, for the fiscal year ending June thirty, nine hundred dollars.

For the erection of a blacksmith shop, per sixth article treaty of October fourteen, eighteen hundred and sixty-five, five hundred dollars.

For the support of one blacksmith, and for tools, iron, and steel, and other articles necessary for the blacksmith shop, per sixth article treaty of October fourteen, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, one thousand five hundred dollars.

Two Kettles. — For first of five instalments, being twenty-five dollars for each lodge or family located on lands for agricultural purposes, (one hundred and thirteen lodges,) to be expended in agricultural implements and improvements, per fifth article treaty of October nineteen, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, two thousand eight hundred and twenty-five dollars.

For first of five instalments, being twenty-five dollars for each lodge or family located on lands for agricultural purposes, (one hundred and fifteen lodges,) to be expended in agricultural implements and improvements, per fifth article treaty of October twenty, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, two thousand eight hundred and seventy-five dollars.

Sans Arcs. — For first of five instalments, being twenty-five dollars for each lodge or family located on lands for agricultural purposes, (thirty-
Six Nations of New York.—For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars.

Six Nations of New York. — For eight lodges, to be expended in agricultural implements and improvements, per fifth article treaty of October twenty, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, nine hundred and fifty dollars.

S'Klallams. — For second of four instalments on sixty thousand dollars, (being the fourth series,) under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, three thousand dollars.

For eighth of twenty instalments for the support of an agricultural and industrial school, and for pay for suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For eighth of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Tabeguache Band of Utah Indians.—For the fourth of ten instalments for the purchase of goods, under the direction of the Secretary of the Interior, per eighth article treaty of October seventh, eighteen hundred and sixty-three, and Senate amendment of March twenty-fifth, eighteen hundred and sixty-four, ten thousand dollars.

For the fourth of five instalments, per tenth article of same treaty and Senate amendment thereto, to be applied for the purposes of agriculture, and for the purchase of farming utensils and stock animals, ten thousand dollars.

For the fourth of ten instalments, per eighth article of said treaty, for the purchase of provisions, under the direction of the Secretary of the Interior, ten thousand dollars.

For the purchase of iron, steel, and necessary tools for blacksmith's shop, as per tenth article of said treaty, two hundred and twenty dollars.

For pay of blacksmith and assistant, as per same article, one thousand one hundred dollars.

For insurance, transportation, and general incidental expenses of the delivery of goods, provisions and stock, five thousand dollars.

Umpquas (Cow Creek Band). — For fourteenth of twenty instalments in blankets, clothing, provisions and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dollars.

Umpquas and Calapoias, of Umpqua Valley, Oregon. — For third of five instalments of the third series of annuity for beneficial objects, to be expended as directed by the President, per third article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand seven hundred dollars.

For thirteenth of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand dollars.

For thirteenth of twenty instalments for the pay of a teacher and purchase of books and stationery, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand four hundred and fifty dollars.

Walla-Walla, Cayuse, and Umatilla Tribes.—For third of five instalments of second series, to be expended under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, six thousand dollars.

For eighth of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines and hospital stores, books,
stationery for schools, and furniture for the employees, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars.

For eighth of twenty instalments for the pay, and subsistence of one superintendant of farming operations, one farmer, two millers, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician, and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five, eleven thousand two hundred dollars.

For eighth of twenty instalments for the pay of each of the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five thousand dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand five hundred dollars.

For eighth of twenty instalments for salary for the son of Pio-pio-mox-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five, one hundred dollars.

Winnebagoes. — For interest on one million dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, and joint resolution July seventeen, eighteen hundred and sixty-two, fifty thousand dollars.

For twenty-first of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirteenth October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars.

Wall Pah-Pe Tribe of Snake Indians. — For breaking and fencing a sufficient quantity of land for the use of said Indians, and for seeds, farming utensils, domestic animals, and such subsistence as may be necessary during the first year of their residence upon their reservation, per sixth article treaty of August twelfth, eighteen hundred and sixty-five, five thousand dollars.

For first of five instalments, to be expended under the direction of the President, as per seventh article treaty of August twelfth, eighteen hundred and sixty-five, two thousand dollars.

Yakama Nation. — For third of five instalments of second series for beneficial objects, at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

For eighth of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For eighth of twenty instalments for the employment of one superintendant of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For eighth of twenty instalments for the employment of one superintendant of farming and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty ninth June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For eighth of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For eighth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and fixtures therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For eighth of twenty instalments for keeping in repair blacksmith’s, tinsmith’s, gunsmith’s, carpenter’s, and wagon and plough maker’s shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For eighth of twenty instalments for the pay of a physician, per fifth
article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For eighth of twenty instalments for keeping in repair the buildings required for the various employees, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For eighth of twenty instalments for the salary of such person as the said confederated tribes and band of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Yankton Tribe of Sioux. — For ninth of ten instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservation, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars.

General incidental Expenses of the Indian Service. Arizona. — For the general incidental expenses of the Indian service in the Territory of Arizona, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, seventy thousand dollars.

California. — For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents, seven thousand five hundred dollars.

Colorado Territory. — For the general incidental expenses of the Indian service in Colorado Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

Dakota Territory. — For the general incidental expenses of the Indian service in Dakota Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

Idaho Territory. — For the general incidental expenses of the Indian service in Idaho Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

Montana Territory. — For the general incidental expenses of the Indian service in Montana Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

Nevada. — For the general incidental expenses of the Indian service in Nevada, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

New Mexico. — For general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, fifty thousand dollars.

Oregon and Washington Territory. — For the general incidental expenses of the Indian service in Oregon and Washington Territory, including insurance and transportation of annuity goods and presents, (where
no special provision therefor is made by treaties,) and office and travelling expenses of the superintendent, agents, and sub-agents, thirty-five thousand five hundred dollars.

Utah Territory. — For the general incidental expenses of the Indian service in Utah Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

For the transportation and necessary expenses of delivery of provisions to the Indians within the Utah superintendency, twenty thousand dollars.

For this amount, to carry out the action contemplated by the act of Congress, approved May fifth, eighteen hundred and sixty-four, entitled "An act to vacate and sell the present Indian reservations in Utah Territory, and to settle [settle] the Indians of said Territory in Uintah valley," to be expended in removing and settling the Indians in said valley, fifteen thousand dollars.

For this amount, to supply a deficiency in the appropriation for "incidental expenses of the Indian service in Utah," for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, twelve thousand dollars.

Miscellaneous. — For the expenses of colonizing, supporting, and furnishing agricultural implements and stock, pay of necessary employees, purchasing clothing, medicine, iron and steel, maintenance of schools for Indians lately residing in Texas, but now residing on the Choctaw leasehold, to be expended under direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars.

For the reappropriation of the sum carried to the surplus fund for warrant numbered one hundred and seventy-two, dated June thirty, eighteen hundred and sixty-five, under the head "For surveying and allotting to the proper persons the reserved tracts, per ninth and tenth articles treaty with Sacs and Foxes and other tribes of Indians, July fifteenth, eighteen hundred and thirty," one thousand two hundred and ninety-seven cents.

For this amount, being the balance due on the award of the Secretary of the Interior to the Delegates of the Southern Cherokees for costs and expenses incurred by them in negotiating, the recent treaty with the United States and the Cherokee Indians, to be reimbursed to the government of the United States out of the proceeds of the sale of the Cherokee lands, eighteen thousand eight hundred and twenty-five dollars.

For the Wichitas and other affiliated Bands. — For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stock, pay of necessary employees, purchasing clothing, medicines, iron and steel, and maintenance of schools, to be expended under the direction of the Secretary of the Interior, thirty-seven thousand eight hundred dollars.

California. — For pay of one physician, one blacksmith, one assistant blacksmith, one farmer, one carpenter, upon each of the four reservations of California, at the rate of fifty dollars per month, twelve thousand dollars.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians in California, fifty-five thousand dollars.

For additional pay of four physicians, four blacksmiths and assistants, four carpenters, and four farmers, on the four reservations in California, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, three thousand six hundred dollars.

For this amount, or so much thereof as may be necessary, to purchase a saw and grist mill for the Round Valley reservation, five thousand dollars.

For defraying the expenses of the removal and subsistence of Indians

UTAH TERRITORY.

For the general incidental expenses of the Indian service in Utah Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

For the transportation and necessary expenses of delivery of provisions to the Indians within the Utah superintendency, twenty thousand dollars.

For this amount, to carry out the action contemplated by the act of Congress, approved May fifth, eighteen hundred and sixty-four, entitled "An act to vacate and sell the present Indian reservations in Utah Territory, and to settle [settle] the Indians of said Territory in Uintah valley," to be expended in removing and settling the Indians in said valley, fifteen thousand dollars.

For this amount, to supply a deficiency in the appropriation for "incidental expenses of the Indian service in Utah," for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, twelve thousand dollars.

Miscellaneous. — For the expenses of colonizing, supporting, and furnishing agricultural implements and stock, pay of necessary employees, purchasing clothing, medicine, iron and steel, maintenance of schools for Indians lately residing in Texas, but now residing on the Choctaw leasehold, to be expended under direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars.

For the reappropriation of the sum carried to the surplus fund for warrant numbered one hundred and seventy-two, dated June thirty, eighteen hundred and sixty-five, under the head "For surveying and allotting to the proper persons the reserved tracts, per ninth and tenth articles treaty with Sacs and Foxes and other tribes of Indians, July fifteenth, eighteen hundred and thirty," one thousand two hundred and ninety-seven cents.

For this amount, being the balance due on the award of the Secretary of the Interior to the Delegates of the Southern Cherokees for costs and expenses incurred by them in negotiating, the recent treaty with the United States and the Cherokee Indians, to be reimbursed to the government of the United States out of the proceeds of the sale of the Cherokee lands, eighteen thousand eight hundred and twenty-five dollars.

For the Wichitas and other affiliated Bands. — For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stock, pay of necessary employees, purchasing clothing, medicines, iron and steel, and maintenance of schools, to be expended under the direction of the Secretary of the Interior, thirty-seven thousand eight hundred dollars.

California. — For pay of one physician, one blacksmith, one assistant blacksmith, one farmer, one carpenter, upon each of the four reservations of California, at the rate of fifty dollars per month, twelve thousand dollars.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians in California, fifty-five thousand dollars.

For additional pay of four physicians, four blacksmiths and assistants, four carpenters, and four farmers, on the four reservations in California, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, three thousand six hundred dollars.

For this amount, or so much thereof as may be necessary, to purchase a saw and grist mill for the Round Valley reservation, five thousand dollars.

For defraying the expenses of the removal and subsistence of Indians
Indians in Oregon and Washington.

Navajo Indians in New Mexico.

Rations, &c., not to be furnished after, &c., unless, &c.

Pottawatomies and Winnebagos in Wisconsin.

Expenses of Sisseton, Wahpata, Medawakanton, and Wahpakaota bands of Sioux or Dakota Indians.

Interest on non-paying stock held in trust for Indian tribes, on abstracted bonds, Cherokee school and national funds.

Delivery of annuities to Indians in Minnesota and Michigan; Pawnees, Poncas, and Yankton Sioux; Sioux of Dakota Indians.

Flatheads.

Quinaielts and Quilehutes.

Vaccination.

Locating Colorado River Indians.

in Oregon and Washington Territory, (not parties to any treaty,) and for pay of necessary employees, fifty thousand dollars.

Navajo Indians in New Mexico. — For subsistence for the Navajo Indians, and for the purchase of sheep, seeds, agricultural implements, and other articles necessary for breaking the ground on the reservation upon the Pecos river, one hundred thousand dollars.

For the relief of the Navajo Indians now at or near Fort Sumner, to be expended under the direction of the Secretary of the Interior, one hundred thousand dollars: Provided, That no rations or supplies shall be furnished to said Indians by the War Department after the first day of July next, except in case of extreme necessity, the facts of which shall be certified to the Secretary of War by the officer commanding that military district.

To enable the Secretary of the Interior to take charge of certain stray bands of Pottawatomie and Winnebago Indians, in the State of Wisconsin, five thousand dollars.

For salary of a special agent to take charge of Winnebago and Pottawatomie Indians now in the State of Wisconsin, one thousand five hundred dollars.

For subsistence, clothing, and general incidental expenses of the Sisseton, Wahpata, Medawakanton, and Wahpakaota bands of Sioux or Dakota Indians, at their new homes, one hundred thousand dollars.

For payment of interest on one million six hundred and ninety thousand dollars, non-paying stock, held by the Secretary of the Interior in trust for various Indian tribes, up to and including the interest payable July first, eighteen hundred and sixty-seven, one hundred thousand and fifty-three dollars.

For payment of interest on fifteen thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, of the Cherokee national fund, four thousand and eighty dollars.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, twenty thousand three hundred and fifty dollars and sixty-two cents.

To supply a deficiency in the appropriation for transporting goods purchased for the Sioux of Dakota Indians, under treaty made at Fort Sully in October, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-five, being the fifth installment for beneficial objects, under treaty of July sixteenth, eighteen hundred and fifty-five, one thousand dollars.

For this amount, to supply a deficiency in the appropriation for the Flatheads and other confederated tribes for the fiscal year ending June thirtieth, eighteen hundred and sixty-five, being the fifth installment for beneficial objects, under treaty of July sixteenth, eighteen hundred and fifty-five, one thousand dollars.

Qui-naielts and Qui-lehutes. — For this amount to supply a deficiency in the appropriation for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, of the first of four instalments on two thousand five hundred and thirty-two dollars, stipulated to be paid the Qui-naielts and Qui-lehutes, as per fourth article treaty of July first, eighteen hundred and fifty-five, three hundred dollars.

For expenses attending the vaccination of Indians, two thousand five hundred dollars.

For expense of collecting and locating the Colorado River Indians in
Arizona, on a reservation set apart for them by section first, act of March third, eighteen hundred and sixty-five, including the expense of constructing a canal for irrigating said reservation, fifty thousand dollars.

For actual necessary expenses incurred, and that may hereafter be incurred by officers of the Indian department in the rescue of prisoners from Indian tribes and returning them to their homes, and for expenses incident to the arrest and confinement within the territory of the United States, by order of such officers, of persons charged with crimes against the Indians, five thousand dollars.

Sec. 2. And be it further enacted, That no moneys or annuities stipulated by any treaty with an Indian tribe for which appropriations are herein made, or for which appropriations shall hereafter be made, shall be expended for, or paid, or delivered to any tribe which, since the next preceding payment under such treaty, shall have engaged in hostilities against the United States, or against its citizenspeacefully and lawfully sojourning or travelling within its jurisdiction at the time of such hostilities; nor in such case shall such stipulated payments or deliveries be resumed until new appropriations shall have been made therefor by Congress; and it shall be the duty of the commissioner of Indian affairs to report to Congress, at each session, any case of hostilities, by any tribe with which the United States has treaty stipulations, which shall have occurred since his next preceding report.

Sec. 3. And be it further enacted, That it shall hereafter be the duty of the officer in charge of the Indian bureau to report separately to Congress, at the commencement of each December session, a tabular statement showing distinctly the separate objects of expenditure under his supervision, and how much disbursed for each object, describing the articles and the quantity of each, and giving the name of each person to whom any part was paid, and how much paid to him, and for what objects, so far as they relate to the disbursement of the funds hereinbefore, or which shall be hereafter, appropriated for the incidental, contingent, or miscellaneous expenses of the Indian service, during the fiscal year next preceding each report.

Sec. 4. And be it further enacted, That hereafter, whenever a vacancy shall occur in the office of any Sub-Indian agent whose salary or compensation exceeds one thousand dollars per annum, the same shall only be filled by some person to be appointed by the President, by and with the advice and consent of the Senate, except, if such vacancy shall occur in the recess of the Senate, the same may be temporarily filled by some person to be commissioned by the President and who shall hold his office until the end of the next session.

Sec. 5. And be it further enacted, That the sum hereinbefore appropriated to the Miamies of Indiana, or which shall hereafter be appropriated to them, shall only be paid to such persons as may be, upon the opinion of the Attorney-General, legally entitled to the same under the provisions of the treaty with said Indians of June fifth, eighteen hundred and fifty-four, and Senate amendments thereto, regardless of any subsequent legislation.

Approved, March 2, 1867.

CHAP. CLXXXIV. — An Act to amend certain Acts in Relation to the Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the "Act to establish the grade of vice-admiral in the United States navy," approved December twenty-one, eighteen hundred and sixty-four, as provides that the vice-admiral shall be the ranking officer in the navy of the United States, shall be considered as having been repealed by the act approved July twenty-five, eighteen hundred and sixty-six, establishing the grade of admiral in Arizona, and canal for irrigation. 1865, ch. 127.


Rescue of prisoners from Indians, and arrest of persons charged with crimes against Indians.

Chap. clxxivi. — An Act to amend certain Acts in Relation to the Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the "Act to establish the grade of vice-admiral in the United States navy," approved December twenty-one, eighteen hundred and sixty-four, as provides that the vice-admiral shall be the ranking officer in the navy of the United States, shall be considered as having been repealed by the act approved July twenty-five, eighteen hundred and sixty-six, establishing the grade of admiral in Arizona, and canal for irrigation. 1865, ch. 127.
of admiral, who shall be the ranking officer of the navy; and the sixth section of the act last named is hereby so amended that the secretary of the admiral shall be entitled to the rank, sea pay and allowances of a lieutenant in the navy, such pay and allowances to date from the acceptance of his appointment, deducting any pay already received by him under said appointment.

SEC. 2. And be it further enacted, That so much of the "Act to authorize the Secretary of the Navy to provide for the education of naval constructors and steam engineers, and for other purposes," approved July four, eighteen hundred and sixty-four, as provides that cadet engineers, when appointed, shall be under eighteen years of age, and shall have been employed at least two years in the actual fabrication of steam machinery, is hereby repealed.

SEC. 3. And be it further enacted, That the officers of the volunteer naval service who are, or may be, transferred to the regular navy, or marine corps, shall be credited with the sea service performed by them as volunteer officers, and shall receive all the benefits of such duty in the same manner as if they had been during such service in the regular navy or marine corps; and all marine officers shall be credited with the length of time they may have been employed as officers or enlisted men in the volunteer service of the United States.

SEC. 4. And be it further enacted, That the storekeeper at the naval academy shall hereafter be detailed from the paymasters' corps of the navy, and he shall have authority, with the approval of the Secretary of the Navy, to procure clothing and other necessities for the midshipmen, in the same manner as supplies are now furnished the navy, to be issued under such regulations as may be prescribed by the Secretary of the Navy.

SEC. 5. And be it further enacted, That the fourth section of the "Act to provide a more efficient discipline for the navy," approved March second, eighteen hundred and fifty-five, be, and hereby is, so amended that the authority therein given to the commander of any vessel in the navy to convene summary courts-martial, shall require the approval of the secretary of the Navy, to procure clothing and other necessities for the midshipmen, in the same manner as supplies are now furnished the navy, to be issued under such regulations as may be prescribed by the Secretary of the Navy.

SEC. 6. And be it further enacted, That, to carry out the provisions of the eleventh section of the "Act for the better government of the navy of the United States," approved July seventeen, eighteen hundred and sixty-two, directing the surplus income from the naval pension fund to be applied to the making of further provision for the comfort of disabled officers, seamen, and marines, there shall be paid out of said fund to every person who, from age or infirmity, is disabled from sea service, but who has served as an enlisted person in the navy or marine corps for the period of twenty years, and not been discharged for misconduct, in lieu of being provided with a home in the naval asylum, Philadelphia, if he shall so elect, a sum equal to one half the pay of his rating at the time he was discharged, to be paid to him quarterly, under the direction of the commissioner of pensions; and applications for such pension shall be made to the Secretary of the Navy, who, upon being satisfied that the applicant comes within the provisions of this act, shall certify the same to the commissioner of pensions, and said certificate shall be his warrant for making payment as herein authorized. And provided further, That any disabled person who has served in the navy or marine corps as an enlisted man for a period not less than ten years, and not been discharged for misconduct, may apply to the Secretary of the Navy, for aid from the surplus income of the naval pension fund; and the Secretary of the Navy is authorized to convene a board of not less than three naval
officers, one of whom shall be a surgeon, to examine into the condition of the applicant, and to recommend a suitable amount for his relief, and for a specified time, and upon the approval of such recommendation by the Secretary of the Navy and certificate thereof to the commissioner of pensions, the amount shall be paid in the same manner as is provided in this section for the payment to persons disabled by long service in the navy; but no allowance so made shall exceed the rate of a pension for full disability corresponding to the grade of the applicant, nor, if in addition to a pension, exceed one fourth the rate of such pension.

SEC. 7. And be it further enacted, That the commandant of the marine corps shall have the rank and pay of a brigadier-general of the army.

SEC. 8. And be it further enacted, That the number of midshipmen allowed at the naval academy shall be one for every member and delegate of the House of Representatives, one for the District of Columbia, ten appointed annually at large, and ten to be selected annually from boys enlisted in the navy, and who have been one year in the service on board a naval vessel, should so many be found qualified: Provided, however, That the reduction in the number of midshipmen herein provided for shall not affect any already appointed, nor any vacancy already existing: And provided further, That so much of the act of July fourteen, eighteen hundred and sixty-two, and of July sixteen, eighteen hundred and sixty-two, as provides for the number of midshipmen that may be appointed to the naval academy be, and the same is hereby, repealed.

SEC. 9. And be it further enacted, That officers on the retired and reserved lists of the navy shall be entitled to promotion as their several dates upon the active list are promoted; but such promotion shall not entitle them to any pay beyond that to which they were entitled when retired, unless upon active duty, when they shall receive the full pay of their respective grades: Provided, That no promotion shall be made to the grade of rear-admiral upon the retired list while there shall be in that grade the full number allowed by law.

APPROVED, March 2, 1867.

CHAP. CLXXV. — An Act relating to Brevets in the Army of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized, with the advice and consent of the Senate, to confer brevet rank on officers in the army of the United States, on account of gallant, meritorious, or faithful conduct in the volunteer service, prior to appointment in said army of the United States.

APPROVED, March 2, 1867.

CHAP. CLXXVI. — An Act to establish a uniform System of Bankruptcy throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several district courts of the United States be, and they hereby are, constituted courts of bankruptcy, and they shall have original jurisdiction in their respective districts in all matters and proceedings in bankruptcy, and they are hereby authorized to hear and adjudicate upon the same according to the provisions of this act. The said courts shall be always open for the transaction of business under this act, and the powers and jurisdiction hereby granted and conferred shall be exercised as well in vacation as in term time, and a judge sitting at chambers shall have the same powers and jurisdiction, including the power of keeping order and of punishing any contempt of his authority, as when sitting in court. And the jurisdiction hereby conferred shall extend to all cases and controversies aris-
Jurisdiction in matters of bankruptcy.

Courts may sit in any place in the district.

Circuit courts to have general superintendence and jurisdiction, may act as in equity.

Concurrent jurisdiction with district courts.

Suits to be brought within two years, &c.

Rights barred not revived hereby.

Administration of the law.
One or more registers in each Congressional district.

Who eligible.

Bond.


Of the Administration of the Law in Courts of Bankruptcy.

SEC. 3. And be it further enacted, That it shall be the duty of the judges of the district courts of the United States, within and for the several districts, to appoint in each Congressional district in said districts, upon the nomination and recommendation of the Chief Justice of the Supreme Court of the United States, one or more registers in bankruptcy, to assist the judge of the district court in the performance of his duties under this act. No person shall be eligible to such appointment unless he be a counselor of said court, or of some one of the courts of record of the State in which he resides. Before entering upon the duties of his office, every person so appointed a register in bankruptcy shall give a bond to the United States, with condition that he will faithfully discharge the duties of his office, in a sum not less than one thousand dollars, to be fixed by said court, with sureties satisfactory to said court, or to either of the said justices thereof; and he shall, in open court, take and subscribe the oath prescribed in the act entitled "An act to prescribe an oath of office, and for other purposes," approved July second, eighteen hundred and sixty-two, and also that he will not, during his continuance in office, be, directly or indirectly, interested in or benefited by the fees or emoluments arising from any suit or matter pending in bankruptcy, in either the district or circuit court in his district.
SEC. 4. And be it further enacted, That every register in bankruptcy, so appointed and qualified, shall have power, and it shall be his duty, to make adjudication of bankruptcy, to receive the surrender of any bankrupt, to administer oaths in all proceedings before him, to hold and preside at meetings of creditors, to take proof of debts, to make all computations of dividends, and all orders of distribution, and to furnish the assignee with a certified copy of such orders, and of the schedules of creditors and assets filed in each case, to audit and pass accounts of assignees, to grant protection, to pass the last examination of any bankrupt in cases whenever the assignee or a creditor do not oppose, and to sit in chambers and despatch there such part of the administrative business of the court and such uncontested matters as shall be defined in general rules and orders, or as the district judge shall in any particular matter direct; and he shall also make short memoranda of his proceedings in each case in which he shall act, in a docket to be kept by him for that purpose, and he shall forthwith, as the proceedings are taken, forward to the clerk of the district court a certified copy of said memoranda, which shall be entered by said clerk in the proper minute-book to be kept in his office, and any register of the court may act for any other register thereof: Provided, however, That nothing in this section contained shall empower a register to commit for contempt, or to hear a disputed adjudication, or any question of the allowance or suspension of an order of discharge; but in all matters where an issue of fact or of law is raised and contested by any party to the proceedings before him, it shall be his duty to cause the question or issue to be stated by the opposing parties in writing, and he shall adjourn the same into court for decision by the judge. No register shall be of counsel or attorney, either in or out of court, in any suit or matter pending in bankruptcy in either the circuit or district court of his district, nor in an appeal therefrom; nor shall he be executor, administrator, guardian, commissioner, appraiser, divider, or assignee of or upon any estate within the jurisdiction of either of said courts of bankruptcy, nor be interested in the fees or emoluments arising from either of said trusts. The fees of said registers, as established by this act, and by the general rules and orders required to be framed under it, shall be paid to them by the parties for whom the services may be rendered in the course of proceedings authorized by this act.

SEC. 5. And be it further enacted, That the judge of the district court may direct a register to attend at any place within the district for the purpose of hearing such voluntary applications under this act as may not be opposed, of attending any meeting of creditors, or receiving any proof of debts, and, generally, for the prosecution of any bankruptcy or other proceedings under this act; and the travelling and incidental expenses of such register, and of any clerk or other officer attending him, incurred in so acting, shall be settled by said court in accordance with the rules prescribed under the tenth section of this act, and paid out of the assets of the estate in respect of which such register has so acted; or if there be no such assets, or if the assets shall be insufficient, then such expenses shall form a part of the costs in the case or cases in which the register shall have acted in such journey, to be apportioned by the judge, and such register, so acting, shall have and exercise all powers, except the power of commitment, vested in the district court for the summoning and examination of persons or witnesses, and for requiring the production of books, papers and documents: Provided, always, That all depositions of persons and witnesses taken before said register, and all acts done by him, shall be reduced to writing, and be signed by him, and shall be filed in the clerk's office as part of the proceedings. Such register shall be subject to removal by the judge of the district court, and all vacancies occurring by such removal, or by resignation, change of residence, death or disability, shall be promptly filled by other fit persons, unless said court shall deem the continuance of the particular office unnecessary.
During proceedings under this act, any party may take the opinion of district judge upon any matter arising therein. Proceedings in such cases.

Judgment of court to be final, unless, &c.

Agreement in special cases.

PARTY AND WITNESSES.

Appeals and writs of error.

Appeals from district to circuit court.

When to be entered.

May be waived.

Writ of error.

No appeal or

OF APPEALS AND PRACTICE.

Sec. 6. And be it further enacted, That any party shall, during the proceedings before a register, be at liberty to take the opinion of the district judge upon any point or matter arising in the course of such proceedings, or upon the result of such proceedings, which shall be stated by the register in the shape of a short certificate to the judge, who shall sign the same if he approve thereof; and such certificate, so signed, shall be binding on all the parties to the proceeding; but every such certificate may be discharged or varied by the judge at chambers or in open court.

In any bankruptcy, or in any other proceedings within the jurisdiction of the court, under this act, the parties concerned, or submitting to such jurisdiction, may at any stage of the proceedings, by consent, state any question or questions in a special case for the opinion of the court, and the judgment of the court shall be final unless it be agreed and stated in such special case that either party may appeal, if, in such case, an appeal is allowed by this act. The parties may also, if they think fit, agree, that upon the question or questions raised by such special case being finally decided, a sum of money, fixed by the parties, or to be ascertained by the court, or in such manner as the court may direct, or any property, or the amount of any disputed debt or claim, shall be paid, delivered, or transferred by one of such parties to the other of them either with or without costs.

Sec. 7. And be it further enacted, That parties and witnesses summoned before a register shall be bound to attend in pursuance of such summons at the place and time designated therein, and shall be entitled to protection, and be liable to process of contempt in like manner as parties and witnesses are now liable thereto in case of default in attendance under any writ of subpoena, and all persons willfully and corruptly swearing or affirming falsely before a register shall be liable to all the penalties, punishments, and consequences of perjury. If any person examined before a register shall refuse or decline to answer, or to swear to or sign his examination when taken, the register shall refer the matter to the judge, who shall have power to order the person so acting to pay the costs thereby occasioned, if such person be compellable by law to answer such question or to sign such examination, and such person shall also be liable to be punished for contempt.

Sec. 8. And be it further enacted, That appeals may be taken from the district to the circuit courts in all cases in equity, and writs of error may be allowed to said circuit courts from said district courts in cases at law under the jurisdiction created by this act, when the debt or damages claimed amount to more than five hundred dollars, and any supposed creditor, whose claim is wholly or in part rejected, or an assignee who is dissatisfied with the allowance of a claim may appeal from the decision of the district court to the circuit court from the same district; but no appeal shall be allowed in any case from the district to the circuit court unless it is claimed, and notice given thereof to the clerk of the district court, to be entered with the record of the proceedings, and also to the assignee or creditor, as the case may be, or to the defeated party in equity, within ten days after the entry of the decree or decision appealed from. The appeal shall be entered at the term of the circuit court which shall be first held within and for the district next after the expiration of ten days from the time of claiming the same. But if the appellant in writing waives his appeal before any decision thereon, proceedings may be had in the district court as if no appeal had been taken; and no appeal shall be allowed unless the appellant at the time of claiming the same shall give bond in manner now required by law in cases of such appeals. No writ of error shall be allowed unless the party claiming it shall comply with the statutes regulating the granting of such writs.

Sec. 9. And be it further enacted, That in cases arising under this act
no appeal or writ of error shall be allowed in any case from the circuit courts to the Supreme Court of the United States, unless the matter in dispute in such case shall exceed two thousand dollars.

SEC. 10. And be it further enacted, That the justices of the Supreme Court of the United States, subject to the provisions of this act shall frame general orders for the following purposes: —

For regulating the practice and procedure of the district courts in bankruptcy, and the several forms of petitions, orders, and other proceedings to be used in said courts in all matters under this act;

For regulating the duties of the various officers of said courts;

For regulating the fees payable and the charges and costs to be allowed, except such as are established by this act or by law, with respect to all proceedings in bankruptcy before said courts, not exceeding the rate of fees now allowed by law for similar services in other proceedings;

For regulating the practice and procedure upon appeals;

For regulating the filing, custody, and inspection of records;

And generally for carrying the provisions of this act into effect.

After such general orders shall have been so framed, they or any of them may be rescinded or varied, and other general orders may be framed in manner aforesaid; and all such general orders so framed shall from time to time be reported to Congress, with such suggestions as said justices may think proper.

VOLUNTARY BANKRUPTCY—COMMENCEMENT OF PROCEEDINGS.

SEC. 11. And be it further enacted, That if any person residing within the jurisdiction of the United States, owing debts provable under this act exceeding the amount of three hundred dollars, shall apply by petition addressed to the judge of the judicial district in which such debtor has resided or carried on business for the six months next immediately preceding the time of filing such petition, or for the longest period during such six months, setting forth his place of residence, his inability to pay all his debts in full, his willingness to surrender all his estate and effects for the benefit of his creditors and his desire to obtain the benefit of this act, and shall annex to his petition a schedule, verified by oath before the court or before a register in bankruptcy, or before one of the commissioners of the circuit court of the United States, containing a full and true statement of all his debts, and, as far as possible, to whom due, with the place of residence of each creditor, if known to the debtor, and if not known the fact to be so stated, and the sum due to each creditor; also, the nature of each debt or demand, whether founded on written security, obligation, contract, or otherwise, and also the true cause and consideration of such indebtedness in each case, and the place where such indebtedness accrued, and a statement of any existing mortgage, pledge, lien, judgment, or collateral or other security given for the payment of the same; and shall also annex to his petition an accurate inventory, verified in like manner, of all his estate, both real and personal, assignable under this act, describing the same and stating where it is situated, and whether there are any, and if so, what encumbrances thereon, the filing of such petition shall be an act of bankruptcy, and such petitioner shall be adjudged a bankrupt: Provided, That all citizens of the United States petitioning to be declared bankrupt shall on filing such petition, and before any proceedings thereon, take and subscribe an oath of allegiance and fidelity to the United States, which oath shall be filed and recorded with the proceedings in bankruptcy. And the judge of the district court, or, if there be no opposing party, any register of said court, to be designated by the judge, shall forthwith, if he be satisfied that the debts due from the petitioner exceed three hundred dollars, issue a warrant, to be signed by such judge or register, directed to the marshal of said district, authorizing him forthwith, as messenger, to publish notices in such newspapers as the warrant specifies; to serve written
Notice, how or printed notice, by mail or personally, on all creditors upon the schedule filed with the debtor's petition, or whose names may be given to him in addition by the debtor, and to give such personal or other notice to any persons concerned as the warrant specifies, which notice shall state:

First. That a warrant in bankruptcy has been issued against the estate of the debtor.
Second. That the payment of any debts and the delivery of any property belonging to such debtor to him or for his use, and the transfer of any property by him, are forbidden by law.
Third. That a meeting of the creditors of the debtor, giving the names, residences, and amounts, so far as known, to prove their debts and choose one or more assignees of his estate, will be held at a court of bankruptcy, to be held at a time and place designated in the warrant, not less than ten nor more than ninety days after the issuing of the same.

OF ASSIGNMENTS AND ASSIGNEES.

Sec. 12. And be it further enacted, That at the meeting held in pursuance of the notice, one of the registers of the court shall preside, and the messenger shall make return of the warrant and of his doings thereon; and if it appears that the notice to the creditors has not been given as required in the warrant, the meeting shall forthwith be adjourned, and a new notice given as required. If the debtor dies after the issuing of the warrant, the proceedings may be continued and concluded in like manner as if he had lived.

Sec. 13. And be it further enacted, That the creditors shall, at the first meeting held after due notice from the messenger, in presence of a register designated by the court, choose one or more assignees of the estate of the debtor; the choice to be made by the greater part in value and in number of the creditors who have proved their debts. If no choice is made by the creditors at said meeting, the judge, or if there be no opposing interest, the register, shall appoint one or more assignees. If an assignee, so chosen or appointed, fails within five days to express his acceptance, the judge or register may fill the vacancy. All elections or appointments of assignees shall be subject to the approval of the judge; and when in his judgment it is for any cause needful or expedient, he may appoint additional assignees, or order a new election. The judge at any time may, and upon the request in writing when, of any creditor who has proved his claim shall, require the assignee to give good and sufficient bond to the United States, with a condition for the faithful performance and discharge of his duties; the bond shall be approved by the judge or register by his indorsement thereon, shall be filed with the record of the case, and inure to the benefit of all creditors proving their claims, and may be prosecuted in the name and for the benefit of any injured party. If the assignee fails to give the bond within such time as the judge orders, not exceeding ten days after notice to him of such order, the judge shall remove him and appoint another in his place.

Sec. 14. And be it further enacted, That as soon as said assignee is appointed and qualified, the judge, or, where there is no opposing interest, the register, shall, by an instrument under his hand, assign and convey to the assignee all the estate, real and personal, of the bankrupt, with all his deeds, books, and papers relating thereto, and such assignment shall relate back to the commencement of said proceedings in bankruptcy, and upon the operation of law, the title to all such property and estate, both real and personal, shall vest in said assignee, although the same is then attached on means process as the property of the debtor, and shall dissolve any such attachment made within four months next preceding the commencement of said proceedings: Provided, however, That there shall be excepted from the operation of the provisions of this section the necessary household and kitchen furniture, and such other articles and
necessaries of such bankrupt as the said assignee shall designate and set apart, having reference in the amount to the family, condition, and circumstances of the bankrupt, but altogether not to exceed in value, in any case, the sum of five hundred dollars; and also the wearing apparel of such bankrupt, and that of his wife and children, and the uniform, arms and equipments of any person who is or has been a soldier in the militia, or in the service of the United States; and such other property as now is, or hereafter shall be, exempted from attachment, or seizure, or levy on execution by the laws of the United States, and such other property not included in the foregoing exceptions as is exempted from levy and sale upon execution or other process or order of any court by the laws of the State in which the bankrupt has his domicile at the time of the commencement of the proceedings in bankruptcy, to an amount not exceeding that allowed by such State exemption laws in force in the year eighteen hundred and sixty-four: Provided, That the foregoing exception shall operate as a limitation upon the conveyance of the property of the bankrupt to his assignees; and in no case shall the property hereby excepted pass to the assignees, or the title of the bankrupt thereto be impaired or affected by any of the provisions of this act; and the determination of the assignee in the matter shall, on exception taken, be subject to the final decision of the said court: And provided further, That no mortgage of any vessel or of any other goods or chattels, made as security for any debt or debts, in good faith and for present considerations and otherwise valid, and duly recorded, pursuant to any statute of the United States, or of any State, shall be invalidated or affected hereby; and all the property conveyed by the bankrupt in fraud of his creditors; all rights in equity, choses in action, patents and patent rights and copyrights; all debts due him, or any person for his use, and all liens and securities therefor; and all his rights of action for property or estate, real or personal, and for any cause of action which the bankrupt had against any person arising from contract or from the unlawful taking or detention, or of injury to the property of the bankrupt, and all his rights of redeeming such property or estate, with the like right, title, power, and authority to sell, manage, dispose of, sue for, and recover or defend the same, as the bankrupt might or could have had if no assignment had been made, shall, in virtue of the adjudication of bankruptcy and the appointment of his assignee, be at once vested in such assignee; and he may sue for and recover the said estate debts and effects, and may prosecute and defend all suits at law or in equity, pending at the time of the adjudication of bankruptcy, in which such bankrupt is a party in his own name, in the same manner and with the like effect as they might have been presented or defended by such bankrupt; and a copy, duly certified by the clerk of the court, under the seal thereof, of the assignment made by the judge or register, as the case may be, to him as assignee, shall be conclusive evidence of his title as such assignee to take, hold, sue for, and recover the property of the bankrupt, as hereinbefore mentioned; but no property held by the bankrupt in trust shall pass by such assignment. No person shall be entitled to maintain an action against an assignee in bankruptcy for anything done by him as such assignee, without previously giving him twenty days' notice of such action, specifying the cause thereof, to the end that such assignee may have an opportunity of tendering amends, should he see fit to do so. No person shall be entitled, as against the assignee, to withhold from him possession of any books of account of the bankrupt, or claim any lien thereon; and no suit in which the assignee is a party shall be abated by his death or removal from office; but the same may be prosecuted and defended by his successor, or by the surviving or remaining assignee, as the case may be. The assignee shall have authority, under the order and direction of the court, to redeem or discharge any mortgage or conditional contract, or pledge or deposit, or lien upon any property, real or personal, whenever
payable, and to tender due performance of the condition thereof, or to sell
the same subject to such mortgage, lien or other encumbrances. The
debtor shall also, at the request of the assignee and at the expense of the
estate, make and execute any instruments, deeds, and writings which may
be proper to enable the assignee to possess himself fully of all the assets
of the bankrupt. The assignee shall immediately give notice of his
appointment, by publication at least once a week for three successive
weeks in such newspapers as shall for that purpose be designated by the
court, due regard being had to their general circulation in the district or
in that portion of the district in which the bankrupt and his creditors
shall reside, and shall, within six months, cause the assignment to him to
be recorded in every registry of deeds or other office within the United
States where a conveyance of any lands owned by the bankrupt ought by
law to be recorded; and the record of such assignment, or a duly certi-
fied copy thereof, shall be evidence thereof in all courts.

SEC. 15. And be it further enacted, That the assignee shall demand
and receive, from any and all persons holding the same, all the estate
assigned, or intended to be assigned, under the provisions of this act;
and he shall sell all such unencumbered estate, real and personal, which
comes to his hands, on such terms as he thinks most for the interest of the
creditors; but upon petition of any person interested, and for cause shown,
the court may make such order concerning the time, place, and manner
of sale as will, in its opinion, prove to the interest of the creditors; and
the assignee shall keep a regular account of all money received by him
as assignee, to which every creditor shall, at reasonable times, have free
resort.

SEC. 16. And be it further enacted, That the assignee shall have the
like remedy to recover all said estate, debts and effects in his own name,
as the debtor might have had if the decree in bankruptcy had not been
rendered and no assignment had been made. If, at the time of the com-
 mencement of proceedings in bankruptcy, an action is pending in the
name of the debtor for the recovery of a debt or other thing which might
or ought to pass to the assignee by the assignment, the assignee shall, if
he requires it, be admitted to prosecute the action in his own name, in
like manner and with like effect as if it had been originally commenced
by him. No suit pending in the name of the assignee shall be abated by
his death or removal; but upon the motion of the surviving or remaining
or new assignee, as the case may be, he shall be admitted to pro-
secute the suit in like manner and with like effect as if it had been originally
commenced by him. In suits prosecuted by the assignee a certified copy
of the assignment made to him by the judge or register shall be conclusive
evidence of his authority to sue.

SEC. 17. And be it further enacted, That the assignee shall, as soon as
may be after receiving any money belonging to the estate, deposit the
same in some bank in his name as assignee, or otherwise keep it distinct
and apart from all other money in his possession; and shall, as far as
practicable, keep all goods and effects belonging to the estate separate
and apart from all other goods in his possession, or designated by appro-
priate marks, so that they may be easily and clearly distinguished, and may not
be exposed or liable to be taken as his property or for the payment of his
debts. When it appears that the distribution of the estate may be de-
layed by litigation or other cause, the court may direct the temporary
investment of the money belonging to such estate in securities to be ap-
proved by the judge or a register of said court, or may authorize the
same to be deposited in any convenient bank upon such interest, not ex-
ceeding the legal rate, as the bank may contract with the assignee to pay
thereon. He shall give written notice to all known creditors, by mail or
otherwise, of all dividends, and such notice of meetings, after the first, as
may be ordered by the court. He shall be allowed, and may retain out
of money in his hands, all the necessary disbursements made by him in the discharge of his duty, and a reasonable compensation for his services, in the discretion of the court. He may, under the direction of the court, submit any controversy arising in the settlement of demands against the estate, or of debts due to it, to the determination of arbitrators, to be chosen by him, and the other party to the controversy, and may, under such direction, compound and settle any such controversy, by agreement with the other party, as he thinks proper and most for the interest of the creditors.

Sec. 18. And be it further enacted, That the court, after due notice and hearing, may remove an assignee for any cause which, in the judgment of the court, renders such removal necessary or expedient. At a meeting called by order of the court in its discretion for the purpose, or which shall be called upon the application of a majority of the creditors in number and value, the creditors may, with consent of the court, remove any assignee by such a vote as is hereinbefore provided for the choice of assignee. An assignee may, with the consent of the judge, resign his trust and be discharged therefrom. Vacancies caused by death or otherwise in the office of assignee may be filled by appointment of the court, or at its discretion by an election by the creditors, in the manner hereinbefore provided, at a regular meeting, or at a meeting called for the purpose, with such notice thereof in writing to all known creditors, and by such person, as the court shall direct. The resignation or removal of an assignee shall in no way release him from performing all things requisite on his part for the proper closing up of his trust and the transmission thereof to his successors, nor shall it affect the liability of the principal or his surety on the bond given by the assignee. When, by death or otherwise, the number of assignees is reduced, the estate of the debtor shall be divided among the remaining assignees, and the persons selected to fill vacancies, if any, with the same powers and duties relative thereto as if they were originally chosen. Any former assignee, or his executors or administrators, upon request, and at the expense of the court, shall make and execute to the new assignee all deeds, conveyances, and assurances, and do all other lawful acts requisite to enable him to recover and receive all the estate. And the court may make all orders which it may deem expedient to secure the proper fulfilment of the duties of any former assignee, and the rights and interests of all persons interested in the estate. No person who has received any preference contrary to the provisions of this act shall vote for or be eligible as assignee; but no title to property, real or personal, sold, transferred, or conveyed by an assignee, shall be affected or impaired by reason of his ineligibility. An assignee refusing or unreasonably neglecting to execute an instrument lawfully required by the court, or disobeying a lawful order or decree of the court in the premises, may be punished as for a contempt of court.

OF DEBTS AND PROOF OF CLAIMS.

Sec. 19. And be it further enacted, That all debts due and payable from the bankrupt at the time of the adjudication of bankruptcy, and all debts then existing but not payable until a future day, a rebate of interest being made when no interest is payable by the terms of the contract, may be proved against the estate of the bankrupt. All demands against the bankrupt for or on account of any goods or chattels wrongfully taken, converted, or withheld by him may be proved and allowed as debts to the amount of the value of the property so taken or withheld, with interest. If the bankrupt shall be bound as drawer, indorser, surety, bail, or guarantor upon any bill, bond, note, or any other specialty or contract, or for any debt of another person, and his liability shall not have become absolute until after the adjudication of bankruptcy, the creditor may prove the
same after such liability shall have become fixed, and before the final
dividend shall have been declared. In all cases of contingent debts and
contingent liabilities contracted by the bankrupt, and not herein otherwise
provided for, the creditor may make claim therefor, and have his claim
allowed, with the right to share in the dividends, if the contingency shall
happen before the order for the final dividend; or he may at any time
apply to the court to have the present value of the debt or liability ascertainment and liquidated, which shall then be done in such manner as the
court shall order, and he shall be allowed to prove for the amount so as-
certained. Any person liable as bail, surety, guarantor, or otherwise for
the bankrupt, who shall have paid the debt, or any part thereof, in dis-
charge of the whole, shall be entitled to prove such debt or to stand in
the place of the creditor if he shall have proved the same, although such
payments shall have been made after the proceedings in bankruptcy were
commenced. And any person so liable for the bankrupt, and who has
not paid the whole of said debt, but is still liable for the same or any part thereof, may, if the creditor shall fail or omit to prove such debt,
prove the same either in the name of the creditor or otherwise, as may be
provided by the rules, and subject to such regulations and limitations as
may be established by such rules. Where the bankrupt is liable to pay
rent or other debt falling due at fixed and stated periods, the creditor may
prove for a proportionate part thereof up to the time of the bankruptcy,
as if the same grew due from day to day, and not at such fixed and stated
periods. If any bankrupt shall be liable for unliquidated damages arising
out of any contract or promise, or on account of any goods or chattels
wrongfully taken, converted, or withheld, the court may cause such dam-
gages to be assessed in such mode as it may deem best, and the sum so
assessed may be proved against the estate. No debts other than those
above specified shall be proved or allowed against the estate.

Sec. 20. And be it further enacted, That, in all cases of mutual debts
or mutual credits between the parties, the account between them shall be
stated, and one debt set off against the other, and the balance only shall
be allowed or paid, but no set-off shall be allowed of a claim in its nature
not provable against the estate: Provided, That no set-off shall be al-

owed in favor of any debtor to the bankrupt of a claim purchased by or
transferred to him after the filing of the petition. When a creditor has a
mortgage or pledge of real or personal property of the bankrupt, or a lien
thereon for securing the payment of a debt owing to him from the bank-
rupt, he shall be admitted as a creditor only for the balance of the debt
after deducting the value of such property, to be ascertained by agree-
ment between him and the assignee, or by a sale thereof, to be made in
such manner as the court shall direct; or the creditor may release or
convey his claim to the assignee upon such property, and be admitted to
prove his whole debt. If the value of the property exceeds the sum for
which it is so held as security, the assignee may release to the creditor
the bankrupt's right of redemption therein on receiving such excess; or
he may sell the property, subject to the claim of the creditor thereon;
and in either case the assignee and creditor, respectively, shall execute all
deeds and writings necessary or proper to consummate the transaction.
If the property is not so sold or released and delivered up, the creditor
shall not be allowed to prove any part of his debt.

Sec. 21. And be it further enacted, That no creditor proving his debt
or claim shall be allowed to maintain any suit at law or in equity therefor
against the bankrupt, but shall be deemed to have waived all right of
action and suit against the bankrupt, and all proceedings already com-
menced or unsatisfied judgments already obtained thereon, shall be
deemed to be discharged and surrendered thereby; and no creditor
whose debt is provable under this act shall be allowed to prosecute to
final judgment any suit at law or in equity therefor against the bankrupt,
until the question of the debtor's discharge shall have been determined; to judgment un-
and any such suit or proceedings shall, upon the application of the bank-
rupt, be stayed to await the determination of the court in bankruptcy on
the question of the discharge, provided there be no unreasonable delay on
the part of the bankrupt in endeavoring to obtain his discharge, and pro-
vided, also, that if the amount due the creditor is in dispute, the suit, by
leave of the court in bankruptcy, may proceed to judgment for the pur-
pose of ascertaining the amount due, which amount may be proved in
bankruptcy, but execution shall be stayed as aforesaid. If any bankrupt
shall, at the time of adjudication, be liable upon any bill of exchange,
promissory note, or other obligation in respect of distinct contracts as a
member of two or more firms carrying on separate and distinct trades,
and having distinct estates to be wound up in bankruptcy, or as a sole
trader and also [as] a member of a firm, the circumstance that such firms
are in whole or in part composed of the same individuals, or that the sole
contractor is also one of the joint contractors, shall not prevent proof and
receipt of dividend in respect of such distinct contracts against the estates
respectively liable upon such contracts.

SEC. 22. And be it further enacted, That all proofs of debts against
the estate of the bankrupt, by or in behalf of creditors residing within the
judicial district where the proceedings in bankruptcy are pending, shall be
made before one of the registers of the court in said district, and by or in
behalf of non-resident debtors before any register in bankruptcy in the
judicial district where such creditors or either of them reside, or before
any commissioner of the circuit court authorized to administer oaths in
any district. To entitle a claimant against the estate of a bankrupt to
have his demand allowed, it must be verified by a deposition in writing on
oath or solemn affirmation before the proper register or commissioner
setting forth the demand, the consideration thereof, whether any and what
securities are held therefor, and whether any and what payments have
been made thereon; that the sum claimed is justly due from the bank-
rupt to the claimant; that the claimant has not, nor has any other person,
for his use, received any security or satisfaction whatever other than that
by him set forth, that the claim was not procured for the purpose of in-
fluencing the proceedings under this act, and that no bargain or agreement,
express or implied, has been made or entered into, by or on behalf of such
creditor, to sell, transfer, or dispose of the said claim or any part thereof,
against such bankrupt, or take or receive, directly or indirectly, any money,
property, or consideration whatever, whereby the vote of such creditor for
assignee, or any action on the part of such creditor, or any other person
in the proceedings under this act, is or shall be in any way affected, in-
fluenced, or controlled, and no claim shall be allowed unless all the state-
ments set forth in such deposition shall appear to be true. Such oath or
solemn affirmation shall be made by the claimant, testifying of his own
knowledge, unless he is absent from the United States or prevented by
some other good cause from testifying, in which cases the demand may
be verified in like manner by the attorney or authorized agent of the
claimant testifying to the best of his knowledge, information, and belief,
and setting forth his means of knowledge; or if in a foreign country, the
oath or affirmation of the creditor may be taken before any minister, consul,
or vice-consul of the United States; and the court may, if it shall see fit, require
or receive further pertinent evidence either for or against the admission
of the claim. Corporations may verify their claims by the oath or solemn
affirmation of their president, cashier, or treasurer. If the proof is satis-
factory to the register or commissioner, it shall be signed by the deponent,
and delivered or sent by mail to the assignee, who shall examine the same
and compare it with the books and accounts of the bankrupt, and shall
register, in a book to be kept by him for that purpose, the names of cred-
itors who have proved their claims, in the order in which such proof is
received, stating the time of receipt of such proof, and the amount and nature of the debts, which books shall be open to the inspection of all the creditors. The court may, on the application of the assignee, or of any creditor, or of the bankrupt, or without any application, examine upon oath the bankrupt, or any person tendering or who has made proof of claims, and may summon any person capable of giving evidence concerning such proof, or concerning the debt sought to be proved, and shall reject all claims not duly proved, or where the proof shows the claim to be founded in fraud, illegality, or mistake.  

SEC. 23. And be it further enacted, That when a claim is presented for proof before the election of the assignee, and the judge entertains doubts of its validity or of the right of the creditor to prove it, and is of opinion that such validity or right ought to be investigated by the assignee, he may postpone the proof of the claim until the assignee is chosen. Any person who, after the approval of this act shall have accepted any preference, having reasonable cause to believe that the same was made or given by the debtor, contrary to any provision of this act, shall not prove the debt or claim on account of which the preference was made or given, nor shall he receive any dividend therefrom until he shall have surrendered to the assignee all property, money, benefit, or advantage received by him under such preference. The court shall allow all debts duly proved, and shall cause a list thereof to be made and certified by one of the registers; and any creditor may act at all meetings by his duly constituted attorney the same as though personally present.  

SEC. 24. And be it further enacted, That a supposed creditor who takes an appeal to the circuit court from the decision of the district court, disallowing his claim in whole or in part, shall, upon entering his appeal in the circuit court, file in the clerk's office thereof a statement in writing of his claim, setting forth the same, substantially, as in a declaration for the same cause of action at law, and the assignee shall plead or answer thereto in like manner, and like proceedings shall thereupon be had in the pleadings, trial, and determination of the cause, as in action at law commenced and prosecuted, in the usual manner, in the courts of the United States, except that no execution shall be awarded against the assignee for the amount of a debt found due to the creditor. The final judgment of the court shall be conclusive, and the list of debts shall, if necessary, be altered to conform thereto. The party prevailing in the suit shall be entitled to costs against the adverse party, to be taxed and recovered as in suits at law; if recovered against the assignee, they shall be allowed out of the estate. A bill of exchange, promissory note, or other instrument, used in evidence upon the proof of a claim, and left in court or deposited in the clerk's office, may be delivered, by the register or clerk having the custody thereof, to the person who used it, upon his filing a copy thereof, attested by the clerk of the court, who shall indorse upon it the name of the party against whose estate it has been proved, and the date and amount of any dividend declared thereon.

OF PROPERTY PERISHABLE AND IN DISPUTE.

SEC. 25. And be it further enacted, That when it appears to the satisfaction of the court that the estate of the debtor, or any part thereof, is of a perishable nature, or liable to deteriorate in value, the court may order the same to be sold, in such manner as may be deemed most expedient, under the direction of the messenger or assignee, as the case may be, who shall hold the funds received in place of the estate disposed of; and whenever it appears to the satisfaction of the court that the title to any portion of an estate, real or personal, which has come into possession of the assignee, or which is claimed by him, is in dispute, the court may, upon the petition of the assignee, and after such notice to the claimant, his agent or attorney, as the court shall deem reasonable, order it to
be sold, under the direction of the assignee, who shall hold the funds received in place of the estate disposed of; and the proceeds of the sale shall be considered the measure of the value of the property in any suit or controversy between the parties in any courts. But this provision shall not prevent the recovery of the property from the possession of the assignee by any proper action commenced at any time before the court orders the sale.

**EXAMINATION OF BANKRUPTS.**

**SEC. 26.** *And be it further enacted, That the court may, on the application of the assignee in bankruptcy, or of any creditor, or without any application, at all times require the bankrupt, upon reasonable notice, to attend and submit to an examination, on oath, upon all matters relating to the disposal or condition of his property, to his trade and dealings with others, and his accounts concerning the same, to all debts due to or claimed from him, and to all other matters concerning his property and estate and the due settlement thereof according to law, which examination shall be in writing, and shall be signed by the bankrupt and filed with the other proceedings; and the court may, in like manner, require the attendance of any other person as a witness, and if such person shall fail to attend, on being summoned thereto, the court may compel his attendance by warrant directed to the marshal, commanding him to arrest such person and bring him forthwith before the court, or before a register in bankruptcy, for examination as such witness. If the bankrupt is imprisoned, absent, or disabled from attendance, the court may order him to be produced by the jailer, or any officer in whose custody he may be, or may direct the examination to be had, taken, and certified at such time and place and in such manner as the court may deem proper, and with like effect as if such examination had been had in court. The bankrupt shall at all times, until his discharge, be subject to the order of the court, and shall, at the expense of the estate, execute all proper writings and instruments, and do and perform all acts required by the court touching the assigned property or estate, and to enable the assignee to demand, recover, and receive all the property and estate assigned, wherever situated; and for neglect or refusal to obey any order of the court, such bankrupt may be committed and punished as for a contempt of court. If the bankrupt is without the district, and unable to return and personally attend at any of the times or do any of the acts which may be specified or required pursuant to this section, and if it appears that such absence was not caused by wilful default, and if, as soon as may be after the removal of such impediment, he offers to attend and submit to the order of the court in all respects, he shall be permitted so to do, with like effect as if he had not been in default. He shall also be at liberty, from time to time, upon oath to amend and correct his schedule of creditors and property, so that the same shall conform to the facts. For good cause shown, the wife of any bankrupt may be required to attend before the court, to the end that she may be examined as a witness; and if such wife do not attend at the time and place specified in the order, the bankrupt shall not be entitled to a discharge unless he shall prove to the satisfaction of the court that he was unable to procure the attendance of his wife. No bankrupt shall be liable to arrest during the pendency of the proceedings in bankruptcy in any civil action, unless the same is founded on some debt or claim from which his discharge in bankruptcy would not release him.*

**OF THE DISTRIBUTION OF THE BANKRUPT'S ESTATE.**

**SEC. 27.** *And be it further enacted, That all creditors whose debts are duly proved and allowed shall be entitled to share in the bankrupt's property and estate pro rata, without any priority or preference whatever, except that wages due from him to any operative, or clerk, or house servant, shall be sold, under the direction of the assignee, who shall hold the funds received in place of the estate disposed of; and the proceeds of the sale shall be considered the measure of the value of the property in any suit or controversy between the parties in any courts. But this provision shall not prevent the recovery of the property from the possession of the assignee by any proper action commenced at any time before the court orders the sale.*
Persons liable as bail, &c. not to receive share until, &c.

After three months, assignee to make report, and exhibit accounts, &c. to creditors.

Creditors to decide as to division of proceeds of estate.

Assignee to decide when, &c.

Proceedings if dividend is ordered

Like proceedings after next three months or earlier.

Third meeting of creditors.

Final dividends

Assignee to submit his account and notify creditors

vant, to an amount not exceeding fifty dollars, for labor performed within six months next preceding the adjudication of bankruptcy, shall be entitled to priority, and shall be first paid in full: Provided, That any debt proved by any person liable, as bail, surety, guarantor, or otherwise, for the bankrupt, shall not be paid to the person so proving the same until satisfactory evidence shall be produced of the payment of such debt by such person so liable, and the share to which such debt would be entitled may be paid into court, or otherwise held for the benefit of the party entitled thereto, as the court may direct. At the expiration of three months from the date of the adjudication of bankruptcy in any case, or as much earlier as the court may direct, the court, upon request of the assignee, shall call a general meeting of the creditors, of which due notice shall be given, and the assignee shall then report, and exhibit to the court and to the creditors just and true accounts of all his receipts and payments, verified by his oath, and he shall also produce and file vouchers for all payments for which vouchers shall be required by any rule of the court; he shall also submit the schedule of the bankrupt's creditors and property as amended, duly verified by the bankrupt, and a statement of the whole estate of the bankrupt as then ascertained, of the property recovered and of the property outstanding, specifying the cause of its being outstanding, also what debts or claims are yet undetermined, and stating what sum remains in his hands. At such meeting the majority in value of the creditors present shall determine whether any and what part of the net proceeds of the estate, after deducting and retaining a sum sufficient to provide for all undetermined claims which, by reason of the distant residence of the creditor, or for other sufficient reason, have not been proved, and for other expenses and contingencies, shall be divided among the creditors; but unless at least one half in value of the creditors shall attend such meeting, either in person or by attorney, it shall be the duty of the assignee so to determine. In case a dividend is ordered, the register shall, within ten days after such meeting, prepare a list of creditors entitled to dividend, and shall calculate and set opposite to the name of each creditor who has proved his claim the dividend to which he is entitled out of the net proceeds of the estate set apart for dividend, and shall forward by mail to every creditor a statement of the dividend to which he is entitled, and such creditor shall be paid by the assignee in such manner as the court may direct.

Sec. 28. And be it further enacted, That the like proceedings shall be had at the expiration of the next three months, or earlier, if practicable, and a third meeting of creditors shall then be called by the court, and a final dividend then declared, unless any action at law or suit in equity be pending, or unless some other estate or effects of the debtor afterwards come to the hands of the assignee, in which case the assignee shall, as soon as may be, convert such estate or effects into money, and within two months after the same shall be so converted, the same shall be divided in manner aforesaid. Further dividends shall be made in like manner as often as occasion requires; and after the third meeting of creditors no further meeting shall be called, unless ordered by the court. If at any time there shall be in the hands of the assignee any outstanding debts or other property, due or belonging to the estate, which cannot be collected and received by the assignee without unreasonable or inconvenient delay or expense, the assignee may, under the direction of the court, sell and assign such debts or other property in such manner as the court shall order. No dividend already declared shall be disturbed by reason of debts being subsequently proved, but the creditors proving such debts shall be entitled to a dividend equal to those already received by the other creditors before any further payment is made to the latter. Preparatory to the final dividend, the assignee shall submit his account to the court and file the same, and give notice to the creditors of such filing, and shall also
give notice that he will apply for a settlement of his account, and for a
discharge from all liability as assignee, at a time to be specified in such
notice, and at such time the court shall audit and pass the accounts of the
assignee, and such assignee shall, if required by the court, be examined
as to the truth of such account, and if found correct be shall thereby be
discharged from all liability as assignee to any creditor of the bankrupt.
The court shall thereupon order a dividend of the estate and effects, or
of such part thereof as it sees fit, among such of the creditors as have
proved their claims, in proportion to the respective amount of their said
debts. In addition to all expenses necessarily incurred by him in the ex-
ecution of his trust, in any case, the assignee shall be entitled to an al-
lowance for his services in such case on all moneys received and paid out
by him therein, for any sum not exceeding one thousand dollars, five per
centum thereon; for any larger sum, not exceeding five thousand dollars,
two and a half per centum on the excess over one thousand dollars; and
for any larger sum, one per centum on the excess over five thousand
dollars, and if, at any time, there shall not be in his hands a sufficient
amount of money to defray the necessary expenses required for the
further execution of his trust, he shall not be obliged to proceed therein
until the necessary funds are advanced or satisfactorily secured to him.
If by accident, mistake, or other cause, without fault of the assignee,
either or both of the said second and third meetings should not be held
within the times limited, the court may, upon motion of an interested
party, order such meetings with like effect as to the validity of the pro-
cedings as if the meeting had been duly held. In the order for a divi-
dend, under this section, the following claims shall be entitled to priority
and preference, and to be first paid in full in the following order:

First. The fees, costs, and expenses of suits, and the several proceed-
ings in bankruptcy under this act, and for the custody of property, as
herein provided.

Second. All debts due to the United States, and all taxes and assess-
ments under the laws thereof.

Third. All debts due to the State in which the proceedings in bank-
druptcy are pending, and all taxes and assessments made under the laws
of such State.

Fourth. Wages due to any operative, clerk, or house servant, to an
amount not exceeding fifty dollars, for labor performed within six months
next preceding the first publication of the notice of proceedings in bank-
druptcy.

Fifth. All debts due to any persons who, by the laws of the United
States, are or may be entitled to a priority or preference, in like manner,
as if this act had not been passed: Always provided, That nothing con-
tained in this act shall interfere with the assessment and collection of
taxes by the authority of the United States or any State.

OF THE BANKRUPT'S DISCHARGE AND ITS EFFECT.

Sec. 29. And be it further enacted, That at any time after the expira-
tion of six months from the adjudication of bankruptcy, or if no debts
have been proved against the bankrupt, or if no assets have come to the
hands of the assignee, at any time after the expiration of sixty days, and
within one year from the adjudication of bankruptcy, the bankrupt may
apply to the court for a discharge from his debts, and the court shall
thereupon order notice to be given by mail to all creditors who have
proved their debts, and by publication at least once a week in such news-
papers as the court shall designate, due regard being had to the general
circulation of the same in the district, or in that portion of the district in
which the bankrupt and his creditors shall reside, to appear on a day ap-
pointed for that purpose, and show cause why a discharge should not be
granted to the bankrupt. No discharge shall be granted, or, if granted,
THIRTY- NINTH CONGRESS. Sess. II. Ch. 176. 1867.

What will prevent or avoid a discharge.

Persons once discharged under this act, not to be again discharged, unless, &c.

Creditors opposing discharge.

be valid, if the bankrupt has wilfully sworn falsely in his affidavit annexed to his petition, schedule, or inventory, or upon any examination in the course of the proceedings in bankruptcy, in relation to any material fact concerning his estate or his debts, or to any other material fact; or if he has concealed any part of his estate or effects, or any books or writings relating thereto, or if he has been guilty of any fraud or negligence in the care, custody, or delivery to the assignee of the property belonging to him at the time of the presentation of his petition and inventory, excepting such property as he is permitted to retain under the provisions of this act, or if he has caused, permitted, or suffered any loss, waste, or destruction thereof; or if, within four months before the commencement of such proceedings, he has procured his lands, goods, money, or chattels to be attached, sequestered, or seized on execution; or if, since the passage of this act, he has destroyed, mutilated, altered, or falsified any of his books, documents, papers, writings, or securities, or has made or been privy to the making of any false or fraudulent entry in any book of account or other document, with intent to defraud his creditors; or has removed or caused to be removed any part of his property from the district, with intent to defraud his creditors; or if he has given any fraudulent preference contrary to the provisions of this act, or made any fraudulent payment, gift, transfer, conveyance, or assignment of any part of his property, or has lost any part thereof in gaming, or has admitted a false or fictitious debt against his estate; or if, having knowledge that any person has proved such false or fictitious debt, he has not disclosed the same to his assignee within one month after such knowledge; or if, being a merchant or tradesman, he has not, subsequently to the passage of this act, kept proper books of account; or if he, or any person in his behalf, has procured the assent of any creditor to the discharge, or influenced the action of any creditor at any stage of the proceedings, by any pecuniary consideration or obligation; or if he has, in contemplation of becoming bankrupt, made any pledge, payment, transfer, assignment or conveyance of any part of his property, directly or indirectly, absolutely or conditionally, for the purpose of preferring any creditor or person having a claim against him, or who is or may be under liability for him, or for the purpose of preventing the property from coming into the hands of the assignee, or of being distributed under this act in satisfaction of his debts; or if he has been convicted of any misdemeanor under this act, or has been guilty of any fraud whatever contrary to the true intent of this act; and before any discharge is granted, the bankrupt shall take and subscribe an oath to the effect that he has not done, suffered, or been privy to any act, matter, or thing specified in this act as a ground for withholding such discharge, or as invalidating such discharge if granted.

Sec. 30. And be it further enacted, That no person who shall have been discharged under this act, and shall afterwards become bankrupt, on his own application shall be again entitled to a discharge whose estate is insufficient to pay seventy per centum of the debts proved against it, unless the assent in writing of three fourths in value of his creditors who have proved their claims is filed at or before the time of application for discharge; but a bankrupt who shall prove to the satisfaction of the court that he has paid all the debts owing by him at the time of any previous bankruptcy, or who has been voluntarily released therefrom by his creditors, shall be entitled to a discharge in the same manner and with the same effect as if he had not previously been bankrupt.

Sec. 31. And be it further enacted, That any creditor opposing the discharge of any bankrupt may file a specification in writing of the grounds of his opposition, and the court may in its discretion order any question of fact so presented to be tried at a stated session of the district court.

Sec. 32. And be it further enacted, That if it shall appear to the court
that the bankrupt has in all things conformed to his duty under this act, and that he is entitled, under the provisions thereof, to receive a discharge, the court shall grant him a discharge from all his debts except as hereinafter provided, and shall give him a certificate thereof under the seal of the court, in substance as follows:—

District Court of the United States, District of . Whereas has been duly adjudged a bankrupt under the act of Congress establishing a uniform system of bankruptcy throughout the United States, and appears to have conformed to all the requirements of law in that behalf, it is therefore ordered by the court that said be forever discharged from all debts and claims which by said act are made provable against his estate, and which existed on the day of , on which day the petition for adjudication was filed by (or against) him; excepting such debts, if any, as are by said act excepted from the operation of a discharge in bankruptcy. Given under my hand and the seal of the court at , in the said district, this day of , A. D. (Seal) Judge.

SEC. 33. And be it further enacted, That no debt created by the fraud or embezzlement of the bankrupt, or by his defalcation as a public officer, or while acting in any fiduciary character, shall be discharged under this act; but the debt may be proved, and the dividend thereon shall be a payment on account of said debt; and no discharge granted under this act shall release, discharge, or affect any person liable for the same debt for or with the bankrupt, either as partner, joint contractor, indorser, surety, or otherwise. And in all proceedings in bankruptcy commenced after one year from the time this act shall go into operation, no discharge shall be granted to a debtor whose assets do not pay fifty per centum of the claims against his estate, unless the assent in writing of a majority in number and value of his creditors who have proved their claims is filed in the case at or before the time of application for discharge.

SEC. 34. And be it further enacted, That a discharge duly granted under this act shall, with the exceptions aforesaid, release the bankrupt from all debts, claims, liabilities, and demands which were or might have been proved against his estate in bankruptcy, and may be pleaded, by a simple averment that on the day of its date such discharge was granted to him, setting the same forth in hae verba, as a full and complete bar to all suits brought on any such debts, claims, liabilities, or demands, and the certificate shall be conclusive evidence in favor of such bankrupt of the fact and the regularity of such discharge: Always provided, That any creditor or creditors of said bankrupt, whose debt was proved or provable against the estate in bankruptcy, who shall see fit to contest the validity of said discharge on the ground that it was fraudulently obtained, may, at any time within two years after the date thereof, apply to the court which granted it to set aside and annul the same. Said application shall be in writing, shall specify which, in particular, of the several acts mentioned in section twenty-nine it is intended to give evidence of against the bankrupt, setting forth the grounds of avoidance, and no evidence shall be admitted as to any other of the said acts; but said application shall be subject to amendment at the discretion of the court. The court shall cause reasonable notice of said application to be given to said bankrupt, and order him to appear and answer the same, within such time as to the court shall seem fit and proper. If, upon the hearing of said parties, the court shall find that the fraudulent acts, or any of them, set forth as aforesaid by said creditor or creditors against the bankrupt, are proved, and that said creditor or creditors had no knowledge of the same until after the granting of said discharge, judgment shall be given in favor of said creditor or creditors, and the discharge of said bankrupt shall be set aside and annulled. But if said court shall find that said...
Preferences and fraudulent conveyances declared void.

SEC. 35. And be it further enacted, That if any person, being insolvent, or in contemplation of insolvency, within four months before the filing of the petition by or against him, with a view to give a preference to any creditor or person having a claim against him, or who is under any liability for him, procures any part of his property to be attached, sequestered, or seized on execution, or makes any payment, pledge, assignment, transfer, or conveyance of any part of his property, either directly or indirectly, absolutely or conditionally, the person receiving such payment, pledge, assignment, transfer, or conveyance, or to be benefited thereby, or by such attachment, having reasonable cause to believe such person is insolvent, and that such attachment, payment, pledge, assignment, or conveyance is made in fraud of the provisions of this act, the same shall be void, and the assignee may recover the property, or the value of it, from the person so receiving it, or so to be benefited; and if any person being insolvent, or in contemplation of insolvency or bankruptcy, within six months before the filing of the petition by or against him, makes any payment, sale, assignment, transfer, conveyance, or other disposition of any part of his property to any person then has reasonable cause to believe him to be insolvent, or to be acting in contemplation of insolvency, and that such payment, sale, assignment, transfer, or other conveyance is made with a view to prevent his property from coming to his assignee in bankruptcy, or to prevent the same from being distributed under this act, or to defeat the object of, or in any way impair, hinder, impede, or delay the operation and effect of, or to evade any of the provisions of this act, the sale, assignment, transfer, or conveyance shall be void, and the assignee may recover the property, or the value thereof, as assets of the bankrupt. And if such sale, assignment, transfer, or conveyance is not made in the usual and ordinary course of business of the debtor, the fact shall be prima facie evidence of fraud. Any contract, covenant, or security made or given by a bankrupt or other person with, or in trust for, any creditor, for securing the payment of any money as a consideration for or with intent to induce the creditor to forbear opposing the application for discharge of the bankrupt, shall be void; and if any creditor shall obtain any sum of money or other goods, chattels, or security from any person as an inducement for forbearing to oppose, or consenting to such application for discharge, every creditor so offending shall forfeit all right to any share or dividend in the estate of the bankrupt, and shall also forfeit double the value or amount of such money, goods, chattels, or security so obtained to be recovered by the assignee for the benefit of the estate.

Bankruptcy of partnerships and of corporations.

SEC. 36. And be it further enacted, That where two or more persons who are partners in trade shall be adjudged bankrupt, either on the petition of such partners, or any one of them, or on the petition of any creditor of the partners, a warrant shall issue in the manner provided by this act, upon which all the joint stock and property of the copartnership, and also all the separate estate of each of the partners, shall be taken, excepting such parts thereof as are hereinbefore excepted; and all the creditors of the company, and the separate creditors of each partner, shall be allowed to prove their respective debts; and the assignee shall be chosen by the creditors of the company, and shall also keep separate
accounts of the joint stock or property of the copartnership and of the separate estate of each member thereof; and after deducting out of the whole amount received by such assignee the whole of the expenses and disbursements, the net proceeds of the joint stock shall be appropriated to pay the creditors of the copartnership, and the net proceeds of the separate estate of each partner shall be appropriated to pay his separate creditors; and if there shall be any balance of the separate estate of any partner, after the payment of his separate debts, such balance shall be added to the joint stock for the payment of the joint creditors; and if there shall be any balance of the joint stock after payment of the joint debts, such balance shall be divided and appropriated to and among the separate estates of the several partners according to their respective right and interest therein, and as it would have been if the partnership had been dissolved without any bankruptcy; and the sum so appropriated to the separate estate of each partner shall be applied to the payment of his separate debts; and the certificate of discharge shall be granted or refused to each partner as the same would or ought to be if the proceedings had been against him alone under this act; and in all other respects the proceedings against partners shall be conducted in the like manner as if they had been commenced and prosecuted against one person alone. If such copartners reside in different districts, that court in which the petition is first filed shall retain exclusive jurisdiction over the case.

SEC. 37. And be it further enacted, That the provisions of this act shall apply to all moneyed business or commercial corporations and joint stock companies, and that upon the petition of any officer of any such corporation or company, duly authorized by a vote of a majority of the corporators at any legal meeting called for the purpose, or upon the petition of any creditor or creditors of such corporation or company, made and presented in the manner hereinafter provided in respect to debtors, the like proceeding shall be had and taken as are hereinafter provided in the case of debtors; and all the provisions of this act which apply to the debtor, or set forth his duties in regard to furnishing schedules and inventories, executing papers, submitting to examinations, disclosing, making over, secreting, concealing, conveying, assigning, or paying away his money or property, shall in like manner, and with like force, effect, and penalties, apply to each and every officer of such corporation or company in relation to the same matters concerning the corporation or company, and the money and property thereof. All payments, conveyances, and assignments declared fraudulent and void by this act when made by a debtor, shall be in like manner, and to the like extent, and with like remedies, be fraudulent and void when made by a corporation or company. No allowance or discharge shall be granted to any corporation or joint stock company, or to any person or officer or member thereof: Provided, That whenever any corporation by proceedings under this act shall be declared bankrupt, all its property and assets shall be distributed to the creditors of such corporations in the manner provided in this act in respect to natural persons.

OF DATES AND DEPOSITIONS.

SEC. 38. And be it further enacted, That the filing of a petition for adjudication in bankruptcy, either by a debtor in his own behalf, or by any creditor against a debtor; upon which an order may be issued by the court, or by a register in the manner provided in section four, shall be deemed and taken to be the commencement of proceedings in bankruptcy under this act; the proceedings in all cases of bankruptcy shall be deemed matters of record, but the same shall not be required to be recorded at large, but shall be carefully filed, kept, and numbered in the office of the clerk of the court, and a docket only, or short memorandum thereof, kept in books to be provided for that purpose, which shall be open to public inspection.
THIRTY-NINTH CONGRESS. Sess. II. Ch. 176. 1867.

Copies. Evidence, how may be taken.

Copies of such records, duly certified under the seal of the court, shall in all cases be prima facie evidence of the facts therein stated. Evidence or examination in any of the proceedings under this act may be taken before the court, or a register in bankruptcy, viva voce or in writing, before a commissioner of the circuit court, or by affidavit, or on commission, and the court may direct a reference to a register in bankruptcy, or other suitable person, to take and certify such examination, and may compel the attendance of witnesses, the production of books and papers, and the giving of testimony in the same manner as in suits in equity in the circuit court.

INVOLUNTARY BANKRUPTCY.

SEC. 39. And be it further enacted, That any person residing and owing debts as aforesaid, who, after the passage of this act, shall depart from the State, district, or Territory of which he is an inhabitant, with intent to defraud his creditors, or, being absent, shall, with such intent, remain absent; or shall conceal himself to avoid the service of legal process in any action for the recovery of a debt or demand provable under this act; or shall conceal or remove any of his property to avoid its being attached, taken, or sequestered on legal process; or shall make any assignment, gift, sale, conveyance, or transfer of his estate, property, rights, or credits, either within the United States or elsewhere, with intent to delay, defraud, or hinder his creditors; or who has been arrested and held in custody under or by virtue of mesne process or execution, issued out of any court of any State, district, or Territory, within which such debtor resides or has property founded upon a demand in its nature provable against a bankrupt's estate under this act, and for a sum exceeding one hundred dollars, and such process is remaining in force and not discharged by payment, or in any other manner provided by the law of such State, district, or Territory applicable thereto, for a period of seven days; or who, being bankrupt or insolvent, or in contemplation of bankruptcy or insolvency, shall make any payment, gift, grant, sale, conveyance, or transfer of money or other property, estate, rights, or credits, or give any warrant to confess judgment; or procure or suffer his property to be taken on legal process, with intent to give a preference to one or more of his creditors, or to any person or persons who are or may be liable for him as indorsers, bail, sureties, or otherwise, or with the intent, by such disposition of his property, to defeat or delay the operation of this act; or who, being a banker, merchant, or trader, has fraudulently stopped or suspended and not resumed payment of his commercial paper, within a period of fourteen days, shall be deemed to have committed an act of bankruptcy, and, subject to the conditions hereinafter prescribed, shall be adjudged a bankrupt, on the petition of one or more of his creditors, the aggregate of whose debts provable under this act amount to at least two hundred and fifty dollars, provided such petition is brought within six months after the act of bankruptcy shall have been committed. And if such person shall be adjudged a bankrupt, the assignee may recover back the money or other property so paid, conveyed, sold, assigned, or transferred contrary to this act, provided the person receiving such payment or conveyance had reasonable cause to believe that a fraud on this act was intended, or that the debtor was insolvent, and such creditor shall not be allowed to prove his debt in bankruptcy.

SEC. 40. And be it further enacted, That upon the filing of the petition authorized by the next preceding section, if it shall appear that sufficient grounds exist therefor, the court shall direct the entry of an order requiring the debtor to appear and show cause, at a court of bankruptcy to be held at a time to be specified in the order; not less than five days from the service thereof, why the prayer of the petition should not be granted; and may also, by its injunctions, restrain the debtor, and any other person, in
the meantime, from making any transfer or disposition of any part of the
debtor's property not excepted by this act from the operation thereof and
from any interference therewith; and if it shall appear that there is probable
cause for believing that the debtor is about to leave the district, or to
remove or conceal his goods and chattels or his evidence of property, or
make any fraudulent conveyance or disposition thereof, the court may is-

Debtor may in the meantime be enjoined;

sue a warrant to the marshal of the district, commanding him to arrest the
alleged [bankrupt] and him safely keep, unless he shall give bail to the
satisfaction of the court for his appearance from time to time, as required
by the court, until the decision of the court upon the petition or the fur-
ther order of the court, and forthwith to take possession provisionally of
all the property and effects of the debtor, and safely keep the same until
the further order of the court. A copy of the petition and of such order
to show cause shall be served on such debtor by delivering the same to
him personally, or leaving the same at his last or usual place of abode;
or, if such debtor cannot be found, or his place of residence ascertained,
service shall be made by publication in such manner as the judge may
direct. No further proceedings, unless the debtor appear and consent
thereto, shall be had until proof shall have been given, to the satisfaction
of the court, of such service or publication; and if such proof be not given
on the return day of such order, the proceedings shall be adjourned and
an order made that the notice be forthwith so served or published

Service upon debtor of petition and order to show cause.

SEC. 41. And be it further enacted, That on such return day or ad-
journed day, if the notice has been duly served or published, or shall be
waived by the appearance and consent of the debtor, the court shall pro-
cceed summarily to hear the allegations of the petitioner and debtor, and may
adjourn the proceedings from time to time, on good cause shown, and shall,
if the debtor on the same day so demand in writing, order a trial by jury at
the first term of the court at which a jury shall be in attendance, to ascer-
tain the fact of such alleged bankruptcy; and if upon such hearing or trial,
the debtor proves to the satisfaction of the court or of the jury, as the case
may be, that the facts set forth in the petition are not true, or that the
debtor has paid and satisfied all liens upon his property, in case the exist-
ence of such liens were the sole ground of the proceeding, the proceedings
shall be dismissed and the respondent shall recover costs.

Debtor to appear pursuant to order or request; if default, the court shall
adjudge the debtor to be a bankrupt, and, as such, subject to the provisions
of this act, and shall forthwith issue a warrant to take possession of the estate
of the debtor. The warrant shall be directed, and the property of the debtor shall be taken thereon, and shall be assigned
and distributed in the same manner and with similar proceedings to those
hereinbefore provided for the taking possession, assignment, and di-

Warrant to issue.

tribution of the property of the debtor upon his own petition. The order of
adjudication of bankruptcy shall require the bankrupt forthwith, or with-in
such number of days, not exceeding five after the date of the order or
notice thereof, as shall be by the order be prescribed, to make and deliver,
or transmit by mail, post-paid, to the messenger, a schedule of the credi-
tors and an inventory of his estate in the form and verified in the manner
required of a petitioning debtor by section thirteen. If the debtor has
failed to appear in person, or by attorney, a certified copy of the adjudica-
tion shall be forthwith served on him by delivery or publication in the
manner hereinafore provided for the service of the order to show cause;
and if the bankrupt is absent or cannot be found, such schedule and in-
ventory shall be prepared by the messenger and the assignee from the
best information they can obtain. If the petitioning creditor shall not ap-
pear and proceed on the return day, or adjourned day, the court may,
upon the petition of any other creditor, to the required amount, proceed

Order to require what.

Proceedings if debtor has failed to appear.

If petitioning creditor does not appear.
OF SUPERSEDING THE BANKRUPT PROCEEDINGS BY ARRANGEMENT.

SEC. 43. And be it further enacted, That if at the first meeting of creditors, or at any meeting of creditors to be specially called for that purpose, and of which previous notice shall have been given for such length of time and in such manner as the court may direct, three fourths in value of the creditors whose claims have been proved shall determine and resolve that it is for the interest of the general body of the creditors that the estate of the bankrupt should be wound up and settled, and distribution made among the creditors by trustees, under the inspection and direction of a committee of the creditors, it shall be lawful for the creditors to certify and report such resolution to the court, and to nominate one or more trustees to take and hold and distribute the estate, under the direction of such committee. If it shall appear to the court, after hearing the bankrupt and such creditors as may desire to be heard, that the resolution was duly passed, and that the interests of the creditors will be promoted thereby, it shall confirm the same; and upon the execution and filing, by or on behalf of three fourths in value of all the creditors whose claims have been proved, of a consent that the estate of the bankrupt be wound up and settled by said trustees according to the terms of such resolution, the bankrupt, or his assignee in bankruptcy, if appointed, as the case may be, shall, under the direction of the court, and under oath, convey, transfer, and deliver all the property and estate of the bankrupt to the said trustee or trustees, who shall, upon such conveyance and transfer, have and hold the same in the same manner, and with the same powers and rights, in all respects, as the bankrupt would have had or held the same if no proceedings in bankruptcy had been taken, or as the assignee in bankruptcy would have done had such resolution not been passed; and such consent and the proceedings thereunder shall be as binding in all respects on any creditor whose debt is provable, who has not signed the same, as if he had signed it, and on any creditor whose debt, if provable, is not proved, as if he had proved it; and the court, by order, shall direct all acts and things needful to be done to carry into effect such resolution of the creditors, and the said trustees shall proceed to wind up and settle the estate under the direction and inspection of such committee of the creditors, for the equal benefit of all such creditors, and the winding up and settlement of any estate under the provisions of this section shall be deemed to be proceedings in bankruptcy under this act; and the said trustees shall have all the rights and powers of assignees in bankruptcy. The court, on the application of such trustees, shall have power to summon and examine, or [on] oath or otherwise, the bankrupt and any creditor, and any person indebted to the estate, or known or suspected of having any of the estate in his possession, or any other person whose examination may be material or necessary to aid the trustees in the execution of their trust, and to compel the attendance of such persons and the production of books and papers in the same manner as in other proceedings in bankruptcy under this act; and the bankrupt shall have the like right to apply for and obtain a discharge after the passage of such resolution and the appointment of such trustees as if such resolution had not been passed, and as if all the proceedings had continued in the manner provided in the preceding sections of this act.

If resolution not approved, &c.

If the resolution shall not be duly reported, or the consent of the creditors shall not be duly filed, or if, upon its filing, the court shall not think fit to approve thereof, the bankrupt shall proceed as though no resolution had been passed, and the court may make all necessary orders for resuming the proceedings. And the period of time which shall have elapsed between the date of the resolution and the date of the order for assuming proceedings shall not be reckoned in calculating periods of time prescribed by this act.
 PENALTIES AGAINST BANKRUPTS.

SEC. 44. And be it further enacted, That from and after the passage of this act if any debtor or bankrupt shall, after the commencement of proceedings in bankruptcy, secrete or conceal any property belonging to his estate, or part with, conceal, or destroy, alter, mutilate, or falsify, or cause to be concealed, destroyed, altered, mutilated, or falsified, any book, deed, document, or writing relating thereto, or remove, or cause to be removed, the same or any part thereof out of the district, or otherwise dispose of any part thereof, with intent to prevent it from coming into the possession of the assignee in bankruptcy, or to hinder, impede, or delay either of them in recovering or receiving the same, or make any payment, gift, sale, assignment, transfer, or conveyance of any property belonging to his estate with the like intent, or spends any part thereof in gaming; or shall, with intent to defraud, wilfully and fraudulently conceal from his assignee or omit from his schedule any property or effects whatsoever; or if, in case of any person having, to his knowledge or belief, proved a false or fictitious debt against his estate, he shall fail to disclose the same to his assignee within one month after coming to the knowledge or belief thereof; or shall attempt to account for any of his property by fictitious losses or expenses; or shall, within three months before the commencement of proceedings in bankruptcy, under the false color and pretense of carrying on business and dealing in the ordinary course of trade, obtain on credit from any person any goods or chattels with intent to defraud; or shall, with intent to defraud his creditors, within three months next before the commencement of proceedings in bankruptcy, pawn, pledge, or dispose of, otherwise than by bona fide transactions in the ordinary way of his trade, any of his goods or chattels which have been obtained on credit and remain unpaid for, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any court of the United States, shall be punished by imprisonment, with or without hard labor, for a term not exceeding three years.

 PENALTIES AGAINST OFFICERS.

SEC. 45. And be it further enacted, That if any judge, register, clerk, marshal, messenger, assignee, or any other officer of the several courts of bankruptcy shall, for anything done or pretended to be done under this act, or under color of doing anything thereunder, wilfully demand or take, or appoint or allow any person whatever to take for him or on his account, or for or on account of any other person, or in trust for him or for any other person, any fee, emolument, gratuity, sum of money, or anything of value whatever, other than is allowed by this act, or which shall be allowed under the authority thereof, such person, when convicted thereof shall forfeit and pay the sum of not less than three hundred dollars and not exceeding five hundred dollars, and be imprisoned not exceeding three years.

SEC. 46. And be it further enacted, That if any person shall forge the signature of a judge, register, or other officer of the court, or shall forge or counterfeit the seal of the courts, or knowingly concur in using any such forged or counterfeit signature or seal for the purpose of authenticating any proceeding or document, or shall tender in evidence any such proceeding or document with a false or counterfeit signature of any such judge, register, or other officer, or a false or counterfeit seal of the court, subscribed or attached thereto, knowing such signature or seal to be false or counterfeit, any such person shall be guilty of felony, and upon conviction thereof shall be liable to a fine of not less than five hundred dollars, and not more than five thousand dollars, and to be imprisoned not exceeding five years, at the discretion of the court.
FEES AND COSTS.

SEC. 47. And be it further enacted, That in each case there shall be allowed and paid, in addition to the fees of the clerk of the court as now established by law, or as may be established by general order, under the provisions of this act, for fees in bankruptcy, the following fees, which shall be applied to the payment for the services of the registers: —

For issuing every warrant, two dollars.
For each day in which a meeting is held, three dollars.
For each order for a dividend, three dollars.
For every order substituting an arrangement by trust deed for bankruptcy, two dollars.
For every bond with sureties, two dollars.
For every application for any meeting in any matter under this act, one dollar.
For every day's service while actually employed under a special order of the court, a sum not exceeding five dollars, to be allowed by the court.
For taking depositions, the fees now allowed by law.
For every discharge when there is no opposition, two dollars.

Such fees shall have priority of payment over all other claims out of the estate, and, before a warrant issues, the petitioner shall deposit with the senior register of the court, or with the clerk, to be delivered to the register, fifty dollars as security for the payment thereof; and if there are not sufficient assets for the payment of the fees, the person upon whose petition the warrant is issued, shall pay the same, and the court may issue an execution against him to compel payment to the register.

Before any dividend is ordered, the assignee shall pay out of the estate to the messenger the following fees, and no more: —

First. For service of warrant, two dollars.
Second. For all necessary travel, at the rate of five cents a mile each way.
Third. For each written note to creditor named in the schedule, ten cents.
Fourth. For custody of property, publication of notices, and other services, his actual and necessary expenses upon returning the same in specific items, and making oath that they have been actually incurred and paid by him, and are just and reasonable, the same to be taxed or adjusted by the court, and the oath of the messenger shall not be conclusive as to the necessity of said expenses.

For cause shown, and upon hearing thereon, such further allowance may be made as the court, in its discretion, may determine.

The enumeration of the foregoing fees shall not prevent the judges, who shall frame general rules and orders in accordance with the provisions of section ten, from prescribing a tariff of fees for all other services of the officers of courts of bankruptcy, or from reducing the fees prescribed in this section in classes of cases to be named in their rules and orders.

OF MEANING OF TERMS AND COMPUTATION OF TIME.

SEC. 48. And be it further enacted, That the word “assignee,” and the word “creditor” shall include the plural also; and the word “messenger” shall include his assistant or assistants, except in the provision for the fees of that officer. The word “marshal” shall include the marshal’s deputies; the word “person” shall also include “corporation”; and the word “oath” shall include “affirmation.” And in all cases in which any particular number of days is prescribed by this act, or shall be mentioned in any rule or order of court or general order which shall at any time be made under this act, for the doing of any act, or for any other purpose, the same shall be reckoned, in the absence of any expression to the contrary, exclusive of the first, and inclusive of the last day, unless the
last day shall fall on a Sunday, Christmas day, or on any day appointed
by the President of the United States as a day of public fast or thank-
giving, or on the Fourth of July, in which case the time shall be reckoned
exclusive of that day also.

Sec. 49 And be it further enacted, That all the jurisdiction, power,
and authority conferred upon and vested in the District Court of the
United States by this act in cases in bankruptcy are hereby conferred
upon and vested in the Supreme Court of the District of Columbia, and
in and upon the supreme courts of the several Territories of the United
States, when the bankrupt resides in the said District of Columbia or in
either of the said Territories. And in those judicial districts which are
not within any organized circuit of the United States, the power and
jurisdiction of a circuit court in bankruptcy may be exercised by the
district judge.

Sec. 50. And be it further enacted, That this act shall commence and
take effect as to the appointment of the officers created hereby, and the
promulgation of rules and general orders, from and after the date of its
approval: Provided, That no petition or other proceeding under this act
shall be filed, received, or commenced before the first day of June, anno
Domini, eighteen hundred and sixty-seven.

Approved, March 2, 1867.

CHAP. CLXXVII. — An Act for the Relief of the Inhabitants of Cities and Towns
upon the Public Lands.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That whenever any portion of
the public lands of the United States have been or shall be settled upon
and occupied as a town site, and therefore not subject to entry under the
agricultural pre-emption laws, it shall be lawful, in case such town shall
be incorporated, for the corporate authorities thereof, and if not incorpo-
rated, for the judge of the county court for the county in which such town
may be situated, to enter at the proper land office, and at the minimum
price, the land so settled and occupied, in trust for the several use and
benefit of the occupants thereof, according to their respective interests;
the execution of which trust, as to the disposal of the lots in such town,
and the proceeds of the sales thereof, to be conducted under such rules
and regulations as may be prescribed by the legislative authority of the
State or Territory in which the same may be situated; Provided, That
the entry of the land intended by this act to be made shall be made, or a
declaratory statement of the purpose of the inhabitants to enter it as a
town site under this act shall be filed with the register of the proper land office,
prior to the commencement of the public sale of the body of land
in which it is included, and that the entry or declaratory statement shall
include only such lands as is actually occupied by the town and the title
to which is in the United States. If upon surveyed lands the entry shall
in its exterior limit be made in conformity to the legal subdivisions of
the public lands authorized by the act of twenty-fourth April, one thousand
eight hundred and twenty; and where the inhabitants are in number one
hundred and less than two hundred, shall embrace not exceeding three
hundred and twenty acres; and in cases where the inhabitants of such
town are more than two hundred and less than one thousand, shall em-
brace not exceeding six hundred and forty acres; and where the number
of inhabitants is one thousand and over one thousand, shall embrace not
exceeding twelve hundred and eighty acres: Provided, That for each ad-
titional one thousand inhabitants, not exceeding five thousand in all, a
further grant of three hundred and twenty acres shall be allowed: And
provided further, That in any Territory in which a land office may not
have been established, declaratory statements as hereinbefore provided

Jurisdiction of
United States
courts in the
District of Co-
lumbia and Ter-
ritories.

In districts not
in organized cir-
cuits, judge to
exercise power
of circuit court.

Provido.

Trust, how
executed.

Entry, &c.,
when to be
made.

to include
what;

upon sur-
veyed lands.

Vol. li. p. 668

Amount of
land that may
be entered.

Provido.

Where there
is no land office,
statements to be
filed where.
may be filed with the surveyor-general of the surveying district in which the lands are situate, who shall transmit said declaratory statement to the general land office: And provided, further, That any act of said trustees not made in conformity to the rules and regulations herein alluded to shall be void; effect to be given to the foregoing provisions according to such regulations as may be prescribed by the Secretary of the Interior; And provided further, That the provisions of this act shall not apply to military or other reservations heretofore made by the United States, nor to reservations for lighthouses, custom-houses, mints, or such other public purposes as the interests of the United States may require, whether held under reservations through the land office by title derived from the Crown of Spain, or otherwise: And provided further, That no title shall be acquired, under the provisions of this act, to any mine of gold, silver, cinna-

bar, or copper.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CLXXVIII. — An Act allowing the Duties on foreign Merchandise imported into the Port of Albany to be secured and paid at that Place.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Albany, in the State of New York, and within the collection district of New York, be, and is hereby, declared to be a port of delivery within the aforesaid district; and there shall be appointed a surveyor of customs, to reside at said port, who shall, in addition to the customary duties performed by that officer in other places, perform the duties prescribed in an act entitled "An act allowing the foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, Saint Louis, Nashville, and Natchez, to be secured and paid at those places," approved March two, eighteen hundred and thirty-one. The said surveyor, before taking the oath of office, shall give security to the United States for the faithful performance of his duties in the sum of ten thousand dollars, and shall receive, in addition to the customary fees and emoluments of his office, an annual salary of six hundred dollars.

Privileges and restrictions applicable.

SEC. 2. And be it further enacted, That the same privileges granted to the ports of delivery mentioned in the first section of this act, and the restrictions created by the said act, are hereby extended and made applicable to all goods, wares, and merchandise imported into the United States at any port of entry and destined to said port of Albany.

Privileges of former acts, &c extended to this port.

SEC. 3. And be it further enacted, That the Secretary of the Treasury shall be, and he is hereby, authorized to extend the privileges of the warehouse acts of August six, eighteen hundred and forty-six, and March twenty-eight, eighteen hundred and fifty-four, and the regulations of the Treasury Department relating thereto, to the said port of Albany.

APPROVED, March 2, 1867.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President, by the advice and consent of the Senate, shall be, and is hereby, authorized to appoint a surveyor-general for Montana, whose annual salary shall be three thousand dollars, and whose power, authority, and duties shall be the same as those provided by law for the surveyor-general of Oregon. He shall have proper allowances for clerk hire, office rent and fuel, what is now allowed by law to the surveyor-general of Oregon.

Montana and Arizona land districts established.

SEC. 2. And be it further enacted, That the public lands within the Territories of Montana and Arizona, to which the Indian title is or shall be extinguished, shall each respectively constitute a new land district to
be called the Montana district and the Arizona district respectively, and the President is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and receiver of public moneys for each of said districts respectively, who shall be required to reside at the places at which said offices shall be located, and they shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to land offices of the United States in other Territories.

SEC. 3. And be it further enacted, That the Secretary of the Interior is hereby authorized to locate said offices of surveyor-general and registers and receivers of public moneys.

SEC. 4. And be it further enacted, That the Territory of Arizona is hereby attached to the surveying district of California.

APPROVED, March 2, 1867.

CHAP. CLXXX. — An Act supplementary to the several Acts of Congress abolishing imprisonment for Debt.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever, upon mesne process or execution issuing out of any of the courts of the United States, any defendant therein is arrested or imprisoned, he shall be entitled to discharge from such arrest or imprisonment in the same manner as if he was so arrested or imprisoned on like process of the State courts in the same district. And the same oath may be taken, and the same length of notice thereof shall be required, as is provided by such State laws; and all modifications, conditions, and restrictions upon imprisonment for debt, now existing by the laws of any State, shall be applicable to process issuing out of the courts of the United States therein, and the same course of proceedings shall be adopted as now are or may be in the courts of such States. But all such proceedings shall be had before some one of the commissioners appointed by the United States circuit court to take bail and affidavits.

APPROVED, March 2, 1867.

CHAP. CLXXXI. — An Act authorizing the Secretary of the Navy to transfer the United States iron-clad "Onondaga," to George Quintard, of New York.

Be it enacted 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 to George Quintard, of New York, for his own use and behalf, the United States iron-clad Onondaga, upon payment by said Quintard, his heirs and assigns, to the treasury of the United States, the sum of seven hundred and fifty-nine thousand six hundred and seventy-three dollars.

APPROVED, March 2, 1867.

CHAP. CLXXXII. — An Act to authorize the Establishment of Ocean Mail Steamship Service between the United States and the Hawaiian Islands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby, authorized to invite proposals, by public advertisement, for the period of sixty days, in one or more newspapers published in the cities of Washington, New York, Boston, and San Francisco, respectively, for mail steamship service between the port of San Francisco, in the United States, and the port of Honolulu, in the Hawaiian islands, by means of a monthly line of first-class American sea-going steamships, to be of not less than one thousand tons, government measurement, each, and of sufficient number to perform twelve round trips per annum, be-
between said ports; and to contract with the lowest responsible bidder for said service, for a term of not more than ten years, to begin from the day the first steamship of the said line shall depart from the port of San Francisco with the mails for the Hawaiian islands: Provided, That no bids shall be considered which shall amount to more than seventy-five thousand dollars for the twelve round trips per annum, nor unless the same be from a citizen or citizens of the United States, and accompanied by an offer of good and sufficient sureties (also citizens of the United States) for the faithful performance of such contract: And provided further, That before the acceptance of the said steamships by the Postmaster-General, for the said service, they shall be subject to inspection any [and] survey by an experienced naval constructor, to be detailed for that purpose by the Secretary of the Navy, whose report shall be made to the Postmaster-General.

SEC. 2. And be it further enacted, That any contract which the Postmaster-General may execute under the authority of this act shall go into effect on or before the first day of January, eighteen hundred and sixty-eight, and shall, in addition to the usual stipulations of ocean mail steamship contracts, provide that the government of the United States shall be entitled to have transported, free of expense, on each and every steamer, a mail agent to take charge of and arrange the mail matter, to whom suitable accommodations for that purpose shall be assigned; that, in case of failure, from any cause, to perform any of the monthly voyages stipulated for in this contract, a pro rata deduction may be made from the compensation on account of such omitted voyage or voyages; that suitable fines and penalties may be imposed for delays and irregularities in the performance of the service; and that the Postmaster-General shall have the power, at any time, to determine the contract in case of its being underlet or assigned to any other party.

APPROVED, March 2, 1867.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where any appeal or writ of error has been brought to the Supreme Court from any final judgment or decree of an inferior court of the United States for any judicial district in which, subsequently to the rendition of such judgment or decree, the regular sessions of such court have been suspended or interrupted by insurrection or rebellion, such appeal or writ of error shall be valid and effectual, notwithstanding the time limited by law for bringing the same may have previously expired; and in cases where no appeal or writ of error has been brought from any such judgment or decree, such appeal or writ of error may be brought within one year from the passage of this act. The provisions of this act shall not apply to any case in which the right to bring an appeal or writ of error had expired before such suspension or interruption of the regular sessions of the court.

SEC. 2. And be it further enacted, That where an appeal has been or may be taken from any final judgment, decree, or order of the district court of the United States for any district to a circuit court, the cause may, if parties appealed by consent of parties may be heard and disposed of by the circuit court held by the district judge at any time after the appeal, in case of the absence at such term of the Chief Justice of the United States or the associate justice allotted to those circuit courts for such district.

Approved, March 2, 1867.

CHAP. CLXXXVI. — An Act to regulate the Disposition of an irregular Fund in the Custody of the Freedmen's Bureau.

WHEREAS the commissioner of the bureau of refugees, freedmen and abandoned lands reports a retained bounty fund, derived from a portion of the State bounties of certain colored soldiers enlisted in Virginia and North Carolina, during the years eighteen hundred and sixty-four and eighteen hundred and sixty-five; and by virtue of general order number ninety, department of Virginia and North Carolina, series of eighteen hundred and sixty-four, helden by the superintendent of freedmen's affairs, but turned over to the said freedmen's bureau upon its organization; and whereas the said commissioner has in possession the names of those soldiers from whom the said money was taken; and whereas he has uniformly returned the same upon the application or discovery of legal representatives, but retains a considerable portion thereof belonging to soldiers who are either deceased or who cannot be found: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said commissioner of the bureau of refugees, freedmen and abandoned lands, or his successor in office, be, and he is hereby, constituted the lawful custodian of said retained bounty fund, and appointed trustee of the same for the benefit of said colored soldiers or their lawful representatives.

SEC. 2. And be it further enacted, That the said commissioner be, and he is hereby, specially authorized and empowered to invest the said fund, or any portion thereof, in bonds of the United States, for the exclusive benefit of the said colored soldiers or their legal representatives: Provided, however, That a sufficient amount of the same in cash be retained unvested to meet all lawful claims thereupon that will probably be presented for payment: And provided further, That any portion of the said fund which may remain unexpended when the said bureau shall cease to exist shall be accounted for by said commissioner to the treasury of the United States.

Approved, March 2, 1867.
March 2, 1867.

CHAP. CLXXVII. — An Act to abolish and forever prohibit the System of Peonage in the Territory of New Mexico and other Parts of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the holding of any person to service or labor under the system known as peonage is hereby declared to be unlawful, and the same is hereby abolished and forever prohibited in the Territory of New Mexico, or in any other Territory or State of the United States; and all acts, laws, resolutions, orders, regulations, or usages of the Territory of New Mexico, or of any other Territory or State of the United States, which have heretofore established, maintained, or enforced, or by virtue of which any attempt shall hereafter be made to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary service or labor of any persons as peons, in liquidation of any debt or obligation, or otherwise, be, and the same are hereby, declared null and void; and any person or persons who shall hold, arrest, or return, or cause to be held, arrested, or returned, or in any manner aid in the arrest or return of any person or persons to a condition of peonage, shall, upon conviction, be punished by fine not less than one thousand nor more than five thousand dollars, or by imprisonment not less than one nor more than five years, or both, at the discretion of the court.

SEC. 2. And be it further enacted, That it shall be the duty of all persons in the military or civil service in the Territory of New Mexico to aid in the enforcement of the foregoing section of this act; and any person or persons who shall obstruct or attempt to obstruct, or in any way interfere with, or prevent the enforcement of this act, shall be liable to the pains and penalties hereby provided; and any officer or other person in the military service of the United States who shall so offend, directly or indirectly, shall, on conviction before a court-martial, be dishonorably dismissed the service of the United States, and shall thereafter be ineligible to reappointment to any office of trust, honor, or profit under the government.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXXXVIII. — An Act to regulate the Disposition of the Proceeds of Fines, Penalties, and Forfeitures incurred under the Laws relating to the Customs, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from the proceeds of fines, penalties, &c., under customs laws, deductions to be made of charges, &c., of an amount equal to the duties in coin, the residue, how distributed;

one half to United States;
one fourth to informer;
one fourth to collector, naval officer, and surveyor, equally.

Where officer of revenue ent-
consequence of any information given by an officer of a revenue cutter, the proceeds thereof shall, after the legal deductions, including the deductions herein authorized, have been disposed of as follows: one fourth to the United States, one fourth to the officers of the customs, as hereinbefore provided; and the remainder to the officers of such revenue cutter, to be divided among them in proportion to their pay.

Sec. 2. And be it further enacted, That whenever it shall be made to appear to the satisfaction of the judge of the district court for any district in the United States, by complaint and affidavit, that any fraud on the revenue has been committed by any person or persons interested, or in any way engaged, in the importation or entry of merchandise at any port within such district, said judge shall forthwith issue his warrant directed to the marshal of the district, requiring said marshal, by himself or deputy, to enter any place or premises where any invoices, books, or papers are deposited relating to the merchandise in respect to which such fraud is alleged to have been committed, and to take possession of such books or papers and produce them before the said judge; and any invoices, books, or papers so seized shall be subject to the order of said judge, who shall allow the examination of the same by the collector of customs of the port into which the alleged fraudulent importation shall have been made, or by any officer duly authorized by said collector. And such invoices, books, or papers may be retained by said judge as long as in his opinion the retention thereof may be necessary; but no warrant for such seizure shall be issued, unless the complainant shall set forth the character of the fraud alleged, the nature of the same, and the importations in respect to which it was committed, and the papers to be seized. And the warrant issued on such complaint, with report of service and proceedings thereon, shall be returned as other warrants to the court of the district within which such judge presides.

Sec. 3. And be it further enacted, That whenever the collector or other chief officer of the customs of any port shall be notified in writing by the owner or consignee of any vessel or vehicle, arriving from any foreign port or place, of a lien for freight on any merchandise imported in such vessel or vehicle, and remaining in his custody, such collector or other officer is hereby authorized and empowered to refuse the delivery of such merchandise from any public or bonded warehouse, or other place in which the same shall be deposited, until proof to his satisfaction shall be produced that the freight due thereon has been paid or secured; but the rights of the United States shall not be prejudiced thereby, nor shall the United States or its officers be in any manner liable for losses consequent upon such refusal to deliver; and if merchandise so subject to a lien, regarding which notice has been filed as aforesaid, shall be forfeited to the United States and sold, the freight due thereon shall be paid from the proceeds of such sale in the same manner as other charges and expenses now authorized by law to be paid therefrom.

Sec. 4. And be it further enacted, That the seventh section of "An act to prevent and punish frauds upon the revenue, to provide for the more certain and speedy collection of claims in favor of the United States, and for other purposes," approved March three, eighteen hundred and sixty-three; the seventeenth section of the "Act further to prevent smuggling, and for other purposes," approved July eighteen, eighteen hundred and sixty-six, and all other laws or parts of laws inconsistent with, or supplied by the provisions of this act, be, and they are hereby, repealed. And the Secretary of the Treasury shall prescribe all needful regulations to carry out and enforce the provisions of this act.

Approved, March 2, 1867.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way through the public lands be, and the same is hereby, granted to the Stockton and Copperopolis Railroad Company, a corporation organized under the laws of the State of California, its successors and assigns, for the construction of a railroad from the city of Stockton to the town of Copperopolis, in the State of California, by the most feasible route, to be selected by said company; and the right is hereby given to said company to take from the public lands adjacent to the line of said railroad material for the construction thereof. Said right of way is granted to said company to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also all necessary ground for station buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations: Provided, That all the rights conferred upon said railroad company by this act are made upon the express condition that said company shall first be designated by the legislature of the State of California as the company to be vested with the rights, privileges, franchises, and grants created or conferred by this act.

SEC. 2. And be it further enacted, That there be, and is hereby, granted to the State of California for the construction of the said Stockton and Copperopolis railroad, its successors and assigns, for the purpose of aiding in the construction of the said railroad, upon the condition prescribed in section one of this act, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores over the route of said line of railway, every alternate section of public land designated by odd numbers to the extent of five alternate sections on each side of said railroad line as said company may adopt, whenever on the line thereof of the United States have full title, not reserved, sold, granted, or otherwise appropriated, and free from pre-emption or other claims or rights at the time the line of said road is definitely fixed and a plot thereof filed in the office of the commissioner of the general land-office. And whenever, prior to said time, any of said sections or parts of sections shall have been granted, sold, reserved, or covered by private land grants, or occupied by homestead settlers, or pre-empted, or otherwise disposed of, other lands shall be selected by said company, in lieu thereof, on the line of said road, within twenty miles of the same, under the direction of the Secretary of the Interior, in alternate sections, and designated by odd numbers: Provided, That all lands containing gold or silver, or copper, excepted from act.

"Mineral" not to include iron or coal.

SEC. 3. And be it further enacted, That whenever said railroad company shall have ten consecutive miles of any portion of said railroad ready for the service contemplated, the Pacific railroad commissioners shall examine the same; and if it shall appear that ten miles of said road have been completed in a good and substantial manner, and in all respects as required by this act, the commissioners shall so report to the President of the United States, and patents of lands, as aforesaid, shall be issued to said company, confirming to said company the right and title to said lands hereinbefore granted, situated opposite to and coterminous with said completed section of said road, within twenty miles thereof. And from time to time, whenever ten additional miles shall have been constructed, completed, and in readiness as aforesaid, and verified by the commissioners to the President of the United States, then patents shall be issued to said
company, conveying the additional sections of land as aforesaid, and so on as fast as every ten miles of said road is completed. The services of said commissioners under this act shall be paid by said company.

SEC. 4. And be it further enacted, That said railroad shall be constructed in a substantial and workmanlike manner, with all the necessary draws, culverts, bridges, viaducts, crossings, turnouts, stations, and watering places, and all other appurtenances, including furniture and rolling stock, equal in all respects to railroads of the first class when prepared for business, with rails of the best quality; and a uniform gauge with the Pacific railroad shall be established the entire length of the road.

SEC. 5. And be it further enacted, That the President of the United States shall cause the lands to be surveyed for twenty miles in width on both sides of the entire line of the said road, after the general route shall be fixed, and as fast as may be required by the construction of said railroad; and the odd sections of land hereby granted shall not be liable to sale or entry, or pre-emption, before or after they are surveyed, except by said company, as provided in this act; but the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof, and of the act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, shall be, and the same are hereby, extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company; and the sections and parts of sections which shall remain in the United States within ten miles of said railroad on each side thereof shall not be sold for less than two dollars and fifty cents per acre.

SEC. 6. And be it further enacted, That each and every grant, right, and privilege are so made and given to and accepted by said Stockton and Copperopolis Railroad Company upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than ten miles per year after the second year, and shall construct, furnish, equip, and complete the whole road by the fourth day of July, eighteen hundred and seventy-two; and upon a failure of said company to comply with either of said conditions, the lands then unpatented to said company shall revert to the United States.

SEC. 7. And be it further enacted, That the United States make the several conditioned grants herein, and that the said Stockton and Copperopolis Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions thereof, and allow the same to continue for upwards of one year, then, in such case, at any time hereafter, Congress may do any and all acts and things which may be needful and necessary to insure a speedy completion of said road.

SEC. 8. And be it further enacted, That said Stockton and Copperopolis Railroad, or any part thereof, shall be a post-route and military railroad, subject to the use of the United States for postal, military, naval, and all other government service, and also subject to such regulations as Congress may impose restricting the charges for such government transportation, and all troops and munitions of war of the United States shall be transported over the said railroad free of all expense or charge to the government thereof, whenever the same shall be required by the government of the United States.

SEC. 9. And be it further enacted, That the acceptance of the terms, conditions, and impositions of this act, by the said Stockton and Copperopolis Railroad Company, shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within two years after the passage of this act, and not afterward, and

Commissioners to be paid by the company.

Railroad, how to be constructed.

Land on both sides of road to be surveyed.

Sec. 7.

1841, ch. 16.
1852, ch. 75.
Vol. xiv. p 392

Odd sections not liable to entry, &c. except sec.
THIRTY-NINTH CONGRESS. Sess. II. Ch. 189, 190. 1867.

This act to be void unless, &c.

Act may be repealed, &c.

Town and village lots exempted.

March 2, 1867.


SEC. 2. And be it further enacted, That the said corporation, by the same name and title, shall have a capital stock of two hundred thousand dollars ($200,000) in shares of twenty-five dollars ($25) each, and be able to sue and be sued, plead and be impleaded, in all courts of law, and elsewhere, and shall be capable and able, in law and equity, to take, purchase, hold, and receive to them and their successors, for the use of said company, lands, tenements, choses in action, goods and chattels of whatever kind, nature or quality, real, personal, or mixed, which now are or hereafter may become the property of said corporation, lands, tenements, choses in action, goods and chattels of whatever kind, nature or quality, real, personal, or mixed, which now are or hereafter may become the property of said corporation or be held for their use, by gift, grant, bargain, sale, conveyance, devise, bequest, or otherwise from any person whomsoever capable of making the same: Provided, [That] the value of the real and personal estate held by this corporation shall never exceed the said sum of two hundred thousand dollars. The said corporation may have a common seal, and at pleasure alter, change, or renew the same, and in general do all things which may be necessary for the well-being and due management of said corporation.

SEC. 3. And be it further enacted, That the corporation hereby erected shall have power to elect a board of directors and such officers for its government, the management of its property, and the superintendence of its affairs, and make such by-laws as they may deem proper, not inconsistent with the constitution and laws of the United States, and to change or modify them at pleasure.

SEC. 4. And be it further enacted, That the board of directors shall receive all rents and revenues arising from the building, and shall from the rents and revenues received by them declare and pay an annual interest of not exceeding six per cent upon the capital stock of said corporation.

SEC. 5. And be it further enacted, That when the rents and revenues of the building shall exceed the amount necessary to pay the interest upon the capital stock, the board of directors shall pay over to the Young
Men's Christian Association the surplus of rents and revenues, which surplus shall be used by the association to purchase the stock hereby authorized at rates not exceeding its par value, and for no other purpose.

SEC. 6. And be it further enacted, That when the Young Men's Christian Association shall have purchased and absorbed all the stock issued by the joint stock company, the board of directors shall transfer to the association the real and personal estate held by it, and all books and papers relating to its transactions; after which transfer the full title and interest in such building and property shall vest and be in the Young Men's Christian Association of Washington; and the corporation hereby created shall then be dissolved; and the rents and revenues of the building shall thereafter be used exclusively to sustain, improve, and enlarge the public hall, library, parlors, and gymnasium, and for the moral and intellectual improvement of young men.

SEC. 7. And be it further enacted, That the building and grounds, the rents and revenues of the same, and the stock issued to erect such building shall be forever exempt from taxation.

SEC. 8. And be it further enacted, That Congress may alter, amend, or repeal this act at will.

Approved, March 2, 1867.

CHAP. CXCL.—An Act to establish certain Post-Roads.

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: —

ARIZONA.

From Prescott to Lynx Creek, Bigbug, and Woolsey Ranch to Turkey Creek.

CALIFORNIA.

From Benton, via Bridgeport and Antelope Valley, to Mammoth Ledge, in Nevada.

From Drytown to Fiddletown.

From Havilah, via Rio Bravo Ranche, to Bakerfield.

COLORADO.

From Badito to Spanish Peaks.

From Pueblo to Homesiila.

From Pueblo, via Rock Carson Ridge and Frazier Settlements, to Carson City.

From Boulder to Jamestown.

From Erupea City, via Argentine and Pera, Munchy district, to Breckenridge.

ILLINOIS.

From Oneida to Woodhull.

From Albion to Paxton.

From Frederick, via Browning, Sheldon's Grove, Bluff City, Marble-town, and Bendtown, to Lewistown.

From Marietta to Cuba.

From Rock Island to Centre Ridge.

From Traverse City, via Munroe and Wexford, to Sherman's, in Michigan.

From Shelbyville, via Todd's Point, to Wanoborne.

From Decatur to Newburg.

From Marrisa to Erie.

From Seneca, via Scott, to Sunbury.

From Danville, via Rossville and Blue Grass, to Paxton.

From Oakland, via Greasy Point and Rural Retreat, to Arcola.
THIRTY-NINTH CONGRESS. Sess. II. Ch. 191. 1867.

Post-routes established in Illinois;

From Monticello to Centreville.
From Bloomington to Paxton.
From Casey, via Greenup, to Effingham.
From Hutton to Union Centre.
From Westfield to Casey.
From Rock Island, via Coaltown, Zuma, and Carver Creek, to Sterling

Indiana;

From Memphis to Jasper.
From Jasper to Lynnville.
From Glen Hall, via West Point, Shawnee Mound, and Sugar Grove, to Farmers' Institute.
From Glen Hall to Farmers' Institute.
From Perryville to Danville.
From Rockville, via Brain's Cross Roads, Weaveland, and Brown's Valley, to Crawfordsville.
From Seymour to Nashville, via Waymansville and Pike's Peak.
From Shelbyville to Winterrowd.

Iowa;

From Homer City to Grant.
From Webster City to Grant.
From Lakin's Grove to Hawley.
From Central City to Monticello.
From Iowa Falls to Algona.
From Homer to Webster City.
From Sioux Rapids, via Douglas and Lincoln, to Spencer.
From Chariton, via Freedom, Bixler's Grove, and Lancaster's Mills, to Corydon.

Kansas;

From Osage Mission, via Sherman City and Hamlin, to Petersville.
From Marmaton, via Cato, Owego, Logansport, Lafayette, and Wheaton, to Cherokee City.
From Troy, via Doniphan and Atchison, to Leavenworth.

Kentucky;

From Brownville to Rocky Hill.
From Falmouth to Milford.

Maryland;

From Middleville, via Leighton, to Wayland.
From Leonardtown to Hollywood.

Michigan;

From Galesburg, via Pavillion and Brady, to Menden.
From Climax Prairie, via Leonidas and Colon, to Burr Oak.
From Pierson to Wright's.
From Traverse City, via Monroe Centre and Wexford, to Sherman's.
From Big Rapids, via Paris, to Manistee.

Minnesota.

From Sunrise City to Fish Lake.
From Forest City, via Mananah, Ewing, and Nichols to New London.
From Winnebago City to Jackson.
From Richmond to Chippewa Station.
From Redwood Falls to Yellow Medicine.
From St. Charles, via Worth and Arago, to Rushford.
From Paynesville, via Georgesville, Lake Johanna, Iola, and Glenwood, to Alexandria.
From Richmond, via Glenwood, Reno City, Holmes City, and Pomme-de-Terre, to Fort Abercrombie, in Dakota.
From Clearfield to Marion.
From Jackson, Minnesota, and Spirit Lake, in Iowa, to Sioux City, Iowa.
From Fairmount, Fox Lake, Wooster, and Graham Lake, in Minnesota, to Yancey, in Dakota Territory.
From Fort Ridgeley, via Birch Cooley, Beaver Creek, Sacred Harp Creek, Hawk Creek, and Palmer's Creek, to Chippewa City.
From Rushford, via Brossburg, Highland, Lenora, in Minnesota, and Burr Oak, to Decorah, in Iowa.
From Shakopee to Excelsior.
From Owatonna to Albert Lea.
From Mankato to Minnesota Lake.
From Paynesville, via James Tuttle's, Burbank City, Norway Lake, Limberg's Town, Glenwood, and Big Stone Lake, Minnesota, to Fort Wadsworth, Dakota Territory.
From Richmond, via Lake George, Big Grove, Grove Lake, White Bear Lake, Reno City, and Holmes City, to Chippewa.
From Geneva to Freeborn.
From Buffalo, via Frankfort, Hassan, Battineau Prairie, to Minneapolis.
From Paynesville, via Burbank and Norway Lake, to School Lake.
From Crow Wing to Fort Clark.
From Saint Charles, via Quincy and Little Valley, to Plainview.
From Paynesville to Alexandria.
From Swan River, via Martin's, Long Prairie and Hoadley, to Long Prairie River.
From Sunk Centre, via Scott, Long Prairie and Lantheart, to Bassett.
From West Union to Long Prairie.
From Minneapolis, via Richfield, Bloomington, Bloomington Ferry, and Eden Prairie, to Shakopee.

MISSOURI.
From Sedalia, via Osceola, Virgil City, Lamar, Carthage, and Granby, to Neosho.
From Osage, via Last Creek and Walton's Mill to Potosi.
From Brunos, via Cold Water and Mosier's Hill, to Green.
From New London, via Madisonville, to Weisville.
From Danville, via Big Spring, Dry Fork Mills, Rhineland, Loutre Island, to Herman.

NEBRASKA.
From Plattsmouth, via Weeping Water, Stoor Creek, Shirley Station, Lancaster, Saline City, and Middle Creek, to Blue River.
From Beatrice, via Snow City, to Big Sandy.

NEW MEXICO.
From Fort Cummings, via Fort Bayard, to Penos Altos.

NEVADA.
From Dayton, via Hot Springs, to Pine Grove.
NEW YORK.

Post-routes established in New York:
From South Petersburg to Berlin.
From Monticello, via Bushville, Stevensville, Briscoe, Jeffersonville, Falls Mill, and Calicoon, to Calicoon Station.
From Oswego City, via Oswego Centre, and North Hannibal, to Hannibalville.

NORTH CAROLINA.
From Hillsdale to Greensboro.

OHIO.
From Columbus to Beckett's Store.
From Young Hickory, via Sand Hollow, to Bristol.
From Caledonia to Delaware.

OREGON.
From Salem, via Howell Prairie, to Silverton.

Pennsylvania:
From Roxbury, via Amberson's Valley, to Dry Run.
From Sugar Grove, in Pennsylvania, to Watt's Station, in New York.
From Mahoutongo to Sweet Home.
From Warfordsburg, via Emmasville, to Ray's Hill.
From Dayton to Kerr's Store.
From Reading, via Angelica, Hammel's Store, California, and Welsh Mountain, to Waynesburgh.
From Birdsboro, via White Bear Town, Beckersville, Hammel's Store, to Adamstown.
From Kasson, via Kane, to Marion.
From Chatham Valley, via Darius Syke's and Roswell Achley's, to Westfield.
From Kinneysville, via Treat's Corners, to Knoxville.
From Auburn Four Corners, via West Auburn and East Springhill, to Wyalusing.
From Rowe, via Joseph Seeley's and Kenyon Corners, to Nichols.
From Blossburg, via Ogdensburg, to mouth of Roaring Branch.
From Hollidaysburg, via L. Bennett's Mills, to Whitney's Corners.
From Karthou's to Round Island.
From Tioga, via Farmington Hill and Farmington Centre, to Osceola.
From Montoursville, via Loyal Sock, Fairfield Centre and Wolf Run, to Munchy Borough.
From H. Vermillyer's, via Long Run and Sabinsville, to Westfield.
From Ulysses, via Harrison Valley, to Westfield.
From Tarentum to Saxonburgh.
From Kittanning to Plumville.
From Mohrsville to Bernville.
From Dundaff to Uniondale.
From Salona to Lamar Mills.

TENNESSEE.
From Due West, via Level Land, to Temple of Health.

UTAH.
From Beaver, in Utah, via Minersville and Meddowsith, to Paranagat, in Nevada.

VIRGINIA.
From Trevillian's Depot to Green Springs.
WASHINGTON.

From New Port, via Salt Pond, Weisgerber's and Brown's, to Salt-Sulphur Springs.
From Cabel Court House, via Tudge's Creek and Porter's Mill, to Hamlin.
From Petroleum, via California House and Oil Rock, to Rathbone.
From Perrysville, via Clear Fork, to Tug River Post-Office.
From Petroleum Station, via California House and Oil Rock, to Running Springs.

WISCONSIN.

From Milwaukee, via New Koelto, to Paynesville.
From Rural, via Wauspaca, Ogdensburg, Little Wolf, North Royalton, and Northport, to New London.

KANSAS.

From Salina, Salina County, via Ottawa County, up the Saline River Valley, to the mouth of Spillman's Creek.
From Saline, via the Kansas Salt Company's Works, Oakland, Minneapolis, thence up the Solomon River Valley, via Usher's Creek, to the mouth of Oak Creek.
From Emporia, Lyon County, via Madison, Janeville, and Noonday, to Eureka, Greenwood County.
From Humboldt, Allen County, via South Branch of Bull Creek, thence down the East Branch of Buffalo Creek to its mouth, in Wilson County, thence to Coyville.
From Topeka via Indianola, in Shawnee County, and Mitchell's Mills, to Holton, in Jackson County.
From Wamego, Pottawatomie County, by way of Allen, Wabaunsee County, to Council Grove.
From Burlington, Coffey County, to Belmont, Woodson County.
From Hiawatha, Brown County, via Muscatah to Grasshopper Falls, Jefferson County.
From Osage Mission, Neasho County, via Sherman, Salamanca, Petersville, Cherokee County, to Neosho, Newton County, Missouri.
From Lawrence, via Oskaloosa, to Grasshopper Falls.
From DeSota, Johnson County, via Gardner, to Ossawatomie.
From Topeka, by way of Holton and Sabatha, to Nebraska City.
From Mound City, Linn County, Kansas, by way of Trading Post, Linn County, to Pleasant Hill, Missouri.
From Manhattan, Riley County, by way of Clay County, to Lake Sibley, in Shirley County.
From Manhattan, by way of Westmoreland, and Savannah, Pottawatomie County, to Council Grove.
From Paola to Rockville, by way of Miami Village, to New Lancaster, Miami County.
From Fort Scott, via Cato, to Monmouth; and a tri-weekly mail from Prairie City, via Centropolis, to Burlingame; also tri-weekly from Council Grove to intersect Santa Fe mail near Fort Larned.
From Topeka to Holton, Jackson County, Kenneuk, Atchison County, and Troy, Doniphan County.
Missouri River Railroad from Wyandotte to Leavenworth.
From Mound City, Linn County, to Cherokee City, Cherokee County, via Mannaton County, Monmouth, Crawford County.
From Fort Scott to Baxter's Springs, via Pleasant View and Petersville, Cherokee County.
From Council Grove via Cottonwood Falls, Eldorado, Fort Arbuckle, to Sherman, Texas.
From Topeka, Shawnee County, to Burlington, Coffey County.
From Perryville, Jefferson County, to Oskaloosa, Jefferson County.
A route from Carlyle, Allen County, to Geneva, Allen County.
A route from Fort Scott, Kansas, via Mapleton, Xenia, in Bourbon County, to Garrett, Anderson County.
From Cottonwood Falls to Junction City.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CXCII. — An Act to incorporate the National Capital Insurance Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Green Adams, Erastus Poulson, Joseph J. Coombs, Robert Leech, John B. Clark, Jr., J. P. Recnor, Fergus M. Blair, Robert L. Owen, and Joseph W. Parish, and others who may become members, are hereby created a body politic and corporate, by the name and style of the "National Capital Insurance Company," for the purpose of carrying on the business of insurance at the city of Washington, in the District of Columbia, and elsewhere, subject to the laws of the several States, and shall and may have perpetual succession, and shall be capable in law of contracting and being contracted with, and of suing and being sued, pleading and being impleaded, in all courts of competent jurisdiction, either in law or equity, in this district or elsewhere, subject to the laws of the States as aforesaid, and they and their successors shall and may have a common seal, and may change the same at their will and pleasure; and may also, from time to time, at any meeting of their directors, by a majority of votes as hereinafter provided, ordain, establish, and put in execution such by-laws, ordinances, rules, and regulations, the same not being contrary to this act or the laws of the United States, as may appear to them necessary or expedient for the management of said corporation, its business and affairs, and may from time to time alter or repeal the same or any of them.

SEC. 2. And be it further enacted, That the said company shall have power to make insurance upon the lives and health of persons, and against accidents of any and all kinds; to issue tickets, or policies, or both, as the board of directors may determine; and to cause themselves to be insured, when deemed expedient, against risks upon which they may have made insurance.

SEC. 3. And be it further enacted, That the affairs of said company shall be managed by a board of directors, consisting of not less than five members, or stockholders, three of whom shall constitute a quorum; said directors shall be elected by ballot from among the members and stockholders of said company, in general meeting assembled, at such times and places as said corporation shall in its by-laws appoint; of which election public notice shall be given ten days preceding such election, which shall be held under the inspection of members or stockholders, to be appointed for the purpose, for the first election, by the persons named in the first section of this act, and thereafter by members and stockholders, not being directors, to be appointed previous to every election by the board of directors, and such election shall be made by ballot, and by a plurality of the votes of the members or stockholders, or their proxies, present, allowing to each member or stockholder one vote for every fifty dollars in capital stock represented in said company. All vacancies in said board may be filled for the unexpired terms by the remaining directors, and the persons chosen to fill such vacancies shall continue in office until others shall be chosen in their places; and other elections shall be held on the first day of April of each year, for the choice of new directors. The said board of directors shall elect, viva voce, a president, vice-president, secretary, treasurer, and general agent, who may hold their offices for and during the term of one year, unless sooner removed by the board of directors, or until others are elected in their places.
Sec. 4. And be it further enacted, That the funds of this company, however derived, may be invested in or loaned on stock or real security. But the stockholders of this company shall not be liable for any loss, damage, or responsibility beyond the amount of stock subscribed by them respectively, and any profits accruing therefrom and undivided.

Sec. 5. And be it further enacted, That suits at law or in equity may be maintained by said corporation against any of its stockholders for the collection of any assessment on their stock or for any other cause relating to the business of said corporation, and may be prosecuted and maintained by any member or stockholder against said corporation for losses or damages incurred against, if payment is withheld more than three months after the losses are duly proved, and notified to the company, agreeably to the conditions of the policy.

Sec. 6. And be it further enacted, That the president, secretary, and treasurer of the company, and such other stockholders as may be added by the board, shall constitute an executive committee, and, when the board of directors are not in session, may exercise all the powers vested in the company, (except as shall be otherwise provided by the board of directors in the by-laws of the company,) a majority of whom may constitute a quorum to do business.

Sec. 7. And be it further enacted, That the capital stock of the company shall not be less than one hundred and fifty thousand dollars, nor more than one million dollars, in shares of fifty dollars each, which first-named amount of one hundred and fifty thousand dollars shall be paid in previous to effecting insurance.

Sec. 8. And be it further enacted, That the directors shall have power to declare such dividends of the profits of the company as they shall deem proper: Provided, That no dividend shall be declared when, in the opinion of the directors or a majority thereof, the capital stock would be impaired thereby.

Sec. 9. And be it further enacted, That the company shall be located at the city of Washington, in the District of Columbia, and may establish agencies elsewhere in the United States, subject to the laws of the several States.

Sec. 10. And be it further enacted, That it shall be the duty of the president or vice-president and secretary of said company annually, on or before the first day of February, to prepare, under oath, and deposit in the office of the Secretary of the Interior, a detailed report of their transactions for the preceding year, and also cause to be published, in some daily newspaper published in the District of Columbia, for at least ten days, a statement exhibiting the total amount of profits received and the total amount of losses paid and ascertained, including expenses during the year; also, the amount of debts owing by said company at the date of the statement, and the amount of claims against the company for losses; also, a statement of the funds of the company and the gross amount of outstanding risks thereon, together with the amount of stock subscribed and the amount actually paid in.

Sec. 11. And be it further enacted, That Congress may at any time alter, amend, or revoke the said incorporation.

Approved, March 2, 1867.

CHAP. CXCIII. — An Act to define and punish certain Crimes therein named.

March 2, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person shall rob another of any kind or description of personal property belonging to the United States, or shall feloniously take and carry away the same, the person so offending shall, on conviction, be punished by fine not exceeding five thousand dollars, or by imprisonment at hard labor, not less than one, nor more than ten years, or by both, at the discretion of the court.

Approved, March 2, 1867.
March 2, 1867.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act for the removal of causes in certain cases from State courts," approved July twenty-seven, eighteen hundred and sixty-six, be, and the same is
hereby, amended as follows: That where a suit is now pending, or may hereafter be brought in any State court, in which there is controversy between a citizen of the State in which the suit is brought and a citizen of another State, and the matter in dispute exceeds the sum of five hundred dollars, exclusive of costs, such citizen of another State, whether he be plaintiff or defendant, if he will make and file, in such State court, an affidavit stating that he has reason to and does believe that, from prejudice or local influence, he will not be able to obtain justice in such State court, may, at any time before the final hearing or trial of the suit, file a petition in such State court for the removal of the suit into the next circuit court of the United States to be held in the district where the suit is pending, and offer good and sufficient surety for his entering in such court, on the first day of its session, copies of all process, pleadings, depositions, testimony, and other proceedings in said suit, and doing such other appropriate acts as, by the act to which this act is amendatory, are required to be done upon the removal of a suit into the United States court: and it shall be, thereupon, the duty of the State court to accept the surety and proceed no further in the suit; and the said copies being entered as aforesaid in such court of the United States, the suit shall there proceed in the same manner as if it had been brought there by original process; and all the provisions of the act to which this act is amendatory respecting any bail, attachment, injunction, or other restraining process, and respecting any bond of indemnity, or other obligation given upon the issuing or granting of any attachment, injunction, or other restraining process, shall apply with like force and effect in all respects to similar matters, process, or things in the suits for the removal of which this act provides.

APPROVED, March 2, 1867.

CHAP. CXCVII. — An Act to provide increased Revenue from imported Wool, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, in lieu of the duties now imposed by law on the articles mentioned and embraced in this section, there shall be levied, collected, and paid on all unmanufactured wool, hair of the alpaca, goat, and other like animals, imported from foreign countries, the duties hereinafter provided. All wools, hair of the alpaca, goat, and other like animals, as aforesaid, shall be divided, for the purpose of fixing the duties to be charged thereon, into three classes, as follows: —

CLASS 1. — CLOTHING WOOL.

That is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote; down clothing wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Ayres, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes two and three.

CLASS 2. — COMBING WOOLS.

That is to say, Leicester, Cotswold, Lincolnshire, down combing wools, or other like combing wools of English blood, and usually known by the terms herein used; and also all hair of the alpaca, goat, and other like animals.

CLASS 3. — CARPET WOOLS, AND OTHER SIMILAR WOOLS.

Such as Donskoi, native South American, Cordova, Valparaiso, native Smyrna, and including all such wools of like character as have been here.
Samples of various kinds to be deposited in custom-houses.

Standard samples in Treasury Department.

Duty upon wools of first class;

Duty upon wools of second class;

Duty upon wools of third class;

Duty upon washed wools of first class to be double, &c.

Upon scoured wools of all classes to be three times, &c.

Sheep or goat skins;

Woollen rags, waste, &c.

to fore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.

For the purpose of carrying into effect the classification herein provided, a sufficient number of distinctive samples of the various kinds of wool or hair embraced in each of the three classes above named, selected and prepared under the direction of the Secretary of the Treasury, and duly verified by him, (the standard samples being retained in the Treasury Department,) shall be deposited in the custom-houses and elsewhere, as he may direct, which samples shall be used by the proper officers of the customs to determine the classes above specified, to which all imported wools belong. And upon wools of the first class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be thirty-two cents or less per pound, the duty shall be ten cents per pound, and, in addition thereto, eleven per centum ad valorem; upon wools of the same class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed thirty-two cents per pound, the duty shall be twelve cents per pound, and, in addition thereto, ten per centum ad valorem. Upon wools of the second class, and upon all hair of the alpaca, goat, and other like animals, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be thirty-two cents or less per pound, the duty shall be ten cents per pound, and, in addition thereto, eleven per centum ad valorem; upon wools of the same class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed thirty-two cents per pound, the duty shall be twelve cents per pound, and in addition thereto, ten per centum ad valorem. Upon wools of the third class, and upon all hair of the alpaca, goat, and other like animals, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be twelve cents or less per pound, the duty shall be three cents per pound; upon wools of the same class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed twelve cents per pound, the duty shall be six cents per pound:

Provided, That any wool of the sheep, or hair of the alpaca, goat, and other like animals, which shall be imported in any other than the ordinary condition as now and heretofore practised, or which shall be changed in its character or condition, for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt, or any other foreign substance, shall be subject to pay twice the amount of duty to which it would be otherwise subjected, anything in this act to the contrary notwithstanding: Provided further, That when wool of different qualities is imported in the same bale, bag, or package, it shall be appraised by the appraiser, to determine the rate of duty to which it shall be subjected, at the average aggregate value of the contents of the bale, bag, or package; and when bales of different qualities are embraced in the same invoice at the same prices whereby the average price shall be reduced more than ten per centum below the value of the bale of the best quality, the value of the whole shall be appraised according to the value of the bale of the best quality; and no bale, bag, or package shall be liable to a less rate of duty in consequence of being invoiced with wool of lower value: And provided further, That the duty upon wool of the first class which shall be imported washed shall be twice the amount of duty to which it would be subjected if imported unwashed, and that the duty upon wool of all classes which shall be imported scoured shall be three times the amount of the duty to which it would be subjected if imported unwashed. On sheep skins and Angora goat skins, raw or unmanufactured, imported with the wool on, washed or unwashed, the duty shall be thirty per centum ad valorem; and on woollen rags, shoddy, mungo, waste, and flocks, the duty shall be twelve cents per pound.
SEC. 2. And be it further enacted, That in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:—

On woollen cloths, woollen shawls, and all manufactures of wool of every description made wholly or in part of wool, not herein otherwise provided for, fifty cents per pound, and, in addition thereto, thirty-five per cent ad valorem.

On flannels, blankets, hats of wool, knit goods, balmorals, woollen and worsted yarns, and all manufactures of every description composed wholly or in part of worsted, the hair of the alpaca, goat, or other like animals, except such as are composed in part of wool, not otherwise provided for, valued at not exceeding forty cents per pound, twenty cents per pound; valued at above forty cents per pound and not exceeding sixty cents per pound, thirty cents per pound; valued at above sixty cents per pound and not exceeding eighty cents per pound, forty cents per pound; valued at above eighty cents per pound, fifty cents per pound; and, in addition thereto, upon all the above-named articles, thirty-five per cent per centum ad valorem.

On endless belts or felts for paper or printing machines, twenty cents per pound and thirty-five per cent per centum ad valorem.

On bunting, twenty cents per square yard, and, in addition thereto, thirty-five per cent per centum ad valorem.

On endless belts or felts for paper or printing machines, twenty cents or fifty cents per centum ad valorem.

On women’s and children’s dress goods and real or imitation Italian cloths, composed wholly or in part of wool, worsted, the hair of the alpaca, goat, or other like animals, valued at not exceeding twenty cents per square yard, six cents per square yard, and, in addition thereto, thirty-five per cent per centum ad valorem; valued at above twenty cents the square yard, eight cents per square yard, and, in addition thereto, forty per cent per centum ad valorem; provided, That on all goods weighing four ounces and over per square yard, the duty shall be fifty cents per pound, and, in addition thereto, thirty-five per cent per centum ad valorem.

On webbings, beltings, bindings, braids, galloons, fringes, gimps; cords, cords and tassels, dress-trimmings, head-nets, buttons or barrel buttons, or buttons of other forms for tassels or ornaments, wrought by hand or braided by machinery, made of wool, worsted, or mohair, or of which wool, worsted or mohair is a component material, unmixed with silk, fifty cents per pound, and, in addition thereto, fifty per cent per centum ad valorem.

On Aubusson and Axminster carpets, and carpets woven whole for rooms, fifty per cent per centum ad valorem; on Saxony, Wilton, and Tournay velvet carpets, wrought by the Jacquard machine, seventy cents per square yard, and, in addition thereto, thirty-five per cent per centum ad valorem; on Brussels carpets wrought by the Jacquard machine, forty-four cents per square yard, and, in addition thereto, fifty per cent per centum ad valorem; on patent velvet and tapestry velvet carpets, printed on the warp or otherwise, fifty cents per square yard, and, in addition thereto, thirty-five per cent per centum ad valorem; on tapestry Brussels carpets printed on the warp or otherwise, twenty-eight cents per square yard, and, in addition thereto, thirty-five per cent per centum ad valorem.
Duties on
carpets;

and, in addition thereto, thirty-five per centum ad valorem; on yarn Venetian and two-ply ingrain carpets, twelve cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; on druggets and bookings, printed, colored, or otherwise, twenty-five cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; on hemp or jute carpeting, eight cents per square yard; on carpets and carpetings of wool, flax, or cotton, or parts of either, or other material not otherwise herein specified, forty per centum ad valorem: Provided, That mats, rugs, screens, covers, hassocks, bedsides, and other portions of carpets or carpeting shall be subjected to the rate of duty herein imposed on carpets or carpeting of like character or description, and that the duty on all other mats, (not exclusively of vegetable material,) screens, hassocks, and rugs, shall be forty-five per centum ad valorem.

On oil-cloths for floors, stamped, painted, or printed, valued at fifty cents or less per square yard, thirty-five per centum ad valorem; valued at over fifty cents per square yard, and on all other oil-cloth, (except silk oil-cloth,) and on water-proof cloth, not otherwise provided for, forty-five per centum ad valorem; on oil-silk cloth, sixty per centum ad valorem.

Approved, March 2, 1867.
RESOLUTIONS.

[No. 1.] Joint Resolution to appoint two Managers for the National Asylum for Disabled Volunteer Soldiers, to fill certain Vacancies.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Erastus B. Wolcott, of the State of Wisconsin, be, and he hereby is, appointed a manager of the National Asylum for Disabled Volunteer Soldiers, to fill the vacancy occasioned by the death of George H. Walker, of the third class of said managers, for the term which expires on the twenty-first day of April, eighteen hundred and sixty-eight; and that John S. Cavender, of the State of Missouri, be, and he is hereby, appointed a manager of said corporation, to fill the vacancy occasioned by the resignation of P. Joseph Osterhaus, of the second class of said managers, for the term which expires on the twenty-first day of April, eighteen hundred and seventy.  

APPROVED, December 7, 1866.

[No. 3.] A Resolution to provide for the Exhibition of the Cereal Productions of the United States at the Paris Exposition April next.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of agriculture be, and he is hereby, instructed to collect and prepare, as far as practicable, and with as little delay as possible, suitable specimens of the cereal productions of the several States of the Union, for exhibition at the Paris Exposition, and forward the same in proper order and condition for shipment to J. C. Derby, agent of the United States government for the Paris Exposition, at New York: Provided, That it shall require no further appropriation from the public treasury.

APPROVED, January 11, 1867.

[No. 4.] Joint Resolution authorizing certain Medals to be distributed to honorably discharged Soldiers free of Postage.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adjutant-general of the State of West Virginia is hereby authorized to distribute through the mails, free of postage, to the honorably discharged soldiers of West Virginia, and to the relatives and friends of those who were killed or died of wounds or disease while in service, certain medals furnished by the legislature of that State, and in such case the envelope enclosing the same shall be franked by such adjutant-general in the mode prescribed by the Postmaster-General.  

APPROVED, January 14, 1867.

[No. 5.] Joint Resolution to procure a Site for a Building to accommodate the Post-Office and U. S. Courts in New York City.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the mayor and postmaster of the city of New York, the district attorney of the United States at New York city, the president of the chamber of commerce of the State Commission appointed to purchase site for a building for
of New York, and Jackson S. Shultz, Charles H. Russell, Charles H. Rogers, and Moses Taylor, of New York city, be appointed a commission to purchase the site for a building to accommodate the post-office and United States courts in the city of New York, in accordance with their report submitted to the Secretary of the Interior and the Postmaster-General, and by them approved, viz: the lower portion of the City Hall Park, containing land equal to twenty-six city lots, (or over sixty-six thousand square feet,) and that they be authorized to purchase the same for the sum of five hundred thousand dollars: Provided, That the title to said property shall be approved by the Attorney-General of the United States, subject to the condition that the government of the United States shall stipulate that it shall be used for public purposes only; and that said commission procure plans and estimates for a suitable building upon said site, to be submitted to the Postmaster-General and Secretary of the Interior; and should such plans and estimates meet their approval, they shall communicate the same, with such additional suggestions as they may think proper, to Congress; and the Secretary of the Treasury is hereby authorized to pay such sum of money as may be necessary to carry the foregoing resolution into effect from any money in the treasury hereafter to be appropriated.

APPROVED, January 22, 1867.
wreck of the iron steamship Scotland, now on the bar outside of Sandy Hook, near the entrance to the harbor of New York, and the sum of one hundred thousand dollars, or so much thereof as may be necessary to complete said removal, is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated. The Secretary of War shall, after notice given in one or more newspapers in the cities of Philadelphia, New York, and Boston, receive sealed proposals for the removal of said wreck, and make contract for the same with the lowest bidder therefor. Said contract will in no case exceed in amount the sum herein appropriated.

APPROVED, January 29, 1867.

[No. 11.] Joint Resolution to amend existing Laws relating to Internal Revenue.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That alcohol made or manufactured of distilled spirits upon which the taxes imposed by law shall have been paid, and burning fluid made or manufactured from alcohol or spirits of turpentine, or camphene upon which the taxes imposed by law shall have been paid, shall be, and hereby are, exempt from tax; and so much of section ninety-six of the act of June thirtieth, eighteen hundred and sixty-four, as relates to alcohol and burning fluid, is hereby repealed, and all products of distillation, by whatever name known, which contain distilled spirits or alcohol on which the tax imposed by law has not been paid, shall be considered and taxed as distilled spirits.

SEC. 2. And be it further enacted, [resolved,] That paragraph nineteen of section seventy-nine of the act of June thirtieth, eighteen hundred and sixty-four, as amended by the act of July thirteenth, eighteen hundred and sixty-six, entitled "An act to reduce internal taxation and to amend an act entitled 'An act to provide internal revenue to support the government, to pay the interest on the public debt, and for other purposes,' approved June thirtieth, eighteen hundred and sixty-four, and acts amendatory thereof," be, and the same is hereby, amended by striking out the words "and distillers of burning fluid and camphene."

APPROVED, February 5, 1867.

[No. 12.] A Resolution providing for the Payment of certain Kentucky Militia Forces.

Resolved 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, directed to cause to be investigated the claims of the forces called out under the command of James S. Fish, in May, eighteen hundred and sixty-two, and to pay the said forces at the same rates for actual service rendered, while absent from their homes, as was allowed by law to other volunteer forces in the military service at the date specified; and in estimating the amount due said militia forces, the officers thereof shall be paid as of the grade to which the number of men would have been entitled under the mustering regulations of the army in force at the date specified. And no allowance shall be made for any troops which did not perform actual military service in full connection and cooperation with the authorities of the United States and subject to their order.

APPROVED, February 8, 1867.

[No 14.] A Resolution to provide, in certain Cases, for the Removal of Alcohol from bonded Warehouses free from Internal Tax.

Resolved 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 to grant permits to curators of incor-
curators of scientific institutions to withdraw alcohol in specified quantities from bond without payment of the internal revenue tax on the same, or on the spirits from which the alcohol has been distilled for the sole and exclusive purpose of preserving specimens of anatomy, physiology, or of natural history belonging to said institutions: Provided, That the said curators, on applying for such permit, shall file a bond for double the amount of the tax on the alcohol to be withdrawn, with two good and sufficient sureties, who shall not be officers of the institution making application; said bond and sureties to be approved by the commissioner of internal revenue; and conditioned that the whole quantity of alcohol so withdrawn from bond shall be used for the purpose above specified and for no other, and that the curators shall comply with such other requirements and regulations as the Secretary of the Treasury may prescribe. And if any alcohol so obtained shall be used by any curator or other officer of said institution for any purpose other than that above specified, then the said curators, officers or sureties, shall pay the tax on the whole amount of alcohol withdrawn from bond, together with a like amount as a penalty in addition thereto.

APPROVED, February 18, 1867.


Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby, authorized to employ ocean mail service between San Francisco, in California, and Portland, in Oregon, not less than three times per month, in continuation of the service from New York, via Panama, to San Francisco: Provided, That the cost of said service shall not exceed twenty-five thousand dollars per annum. And it is hereby made the duty of the Postmaster-General, after the passage of this resolution, to advertise for bids for the performance of the service herein provided for, for at least thirty days in at least one newspaper published at San Francisco and one paper published at Portland, Oregon, and to contract therefor with the lowest responsible bidder.

APPROVED, February 18, 1867.

Feb. 18, 1867. [No. 16] Joint Resolution in Relation to the Pensions of Widows of Revolutionary Soldiers.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the pensions of widows of revolutionary soldiers whose names are now upon the pension rolls, and who were married to revolutionary soldiers prior to January first, eighteen hundred and twelve, be, and the same are hereby, increased to and shall be paid at the same rate as the deceased soldiers would be entitled under existing laws, if now living; such increase and payment to be made from the thirtieth day of September, eighteen hundred and sixty-five.

APPROVED, February 18, 1867.


Be it resolved 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 purchase, for the government of the United States, David's Island, in Long Island Sound, at the sum of thirty-eight thousand five hundred dollars, in accordance with the terms and conditions of the lease of Simeon Leland, dated April thirteenth, eighteen hundred and sixty-two, and renewed March thirtieth, eighteen hundred and sixty-three, by which the said island was leased to the United States, and is now occupied by the same.

APPROVED, February 18, 1867.
[No. 21.] Joint Resolution to extend the Time for Codifying the Laws relating to Customs, authorized by the Joint Resolution approved July twenty-sixth, eighteen hundred and sixty-six. Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the joint resolution to provide for codifying the laws relating to customs, approved July twenty-sixth, eighteen hundred and sixty-six, be, and they are hereby, continued in force until the first day of January in the year eighteen hundred and sixty-eight. 
APPROVED, February 22, 1867.

[No. 22.] Joint Resolution for the Restoration of Lieutenant-Commander S. L. Breese, U. S. Navy, to the Active List from the Retired List. 
Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to nominate, and by and with the advice and consent of the Senate to appoint, Lieutenant-Commander S. L. Breese to the active list of the navy, with the rank to which he may be entitled thereon. 
APPROVED, February 22, 1867.


Be it 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 is hereby, authorized and directed, upon the application of the contributors, to assign a public vessel for the transportation to Charleston, Savannah, and Mobile, of any supplies of food and clothing that may be contributed by the people of the United States, for the use of any portion of the people of the Southern States, who may be suffering from the failure of crops or other causes, under such regulations as may, by the Secretary of the Navy, be prescribed. 
APPROVED, February 22, 1867.

[No. 26.] A Resolution to extend Aid and Facilities to Citizens the United States engaged in the Survey of a Route for a Ship Canal across the Isthmus of Darien. 
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be authorized and requested to furnish such aid and facilities to citizens of the United States who are undertaking an exploration and survey of the Isthmus of Darien for the purpose of discovering a favorable line for a ship canal to connect the Atlantic and Pacific oceans as he may be able to furnish without prejudice to the naval service, and without additional expense to the government of the United States. 
APPROVED, February 25, 1867.

[No. 27.] A Resolution authorizing the Secretary of the Treasury to permit the Owner of the Yacht "Mayflower" to change the Name of the same to that of "Silvia," and to issue an American Registry to the Steam Yacht "Glance."

WHEREAS the yacht "Mayflower" is a pleasure-boat not engaged in the transportation of passengers or freight of any kind; and whereas the steam yacht "Glance," of about thirteen tons burden, being also a pleasure yacht not engaged in carrying passengers or freight: Therefore, 
Resolved 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 to permit the owner of the yacht "May-
Register to change the name of the steam yacht "Glance." to Silvie." and to order a register of the steam yacht "Glance" to be granted to William Levering, Jr., the owner thereof, from the collection district of Buffalo, in the State of New York.

**APPROVED, February 25, 1867.**

[No. 28.] A Resolution to provide for the Ascertainment and Apportionment of the proper Quota of the direct Tax of eighteen hundred and sixty-one to the State of West Virginia, and for other Purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in ascertaining the quota of the State of West Virginia of the direct tax imposed by the act of August fifth, eighteen hundred and sixty-one, the Secretary of the Treasury is authorized and directed to charge the said State with such proportion of the said tax apportioned to the State of Virginia as the value of the real estate of the counties now composing the State of West Virginia, including Berkeley and Jefferson, bears to the value of all the real estate of the then State of Virginia, as ascertained by the assessment for State taxation of the real estate of the said State of Virginia in the year eighteen hundred and sixty, giving credit to the State of West Virginia for such part of its proportion so ascertained as has been already paid.

SEC. 2. And be it further resolved, That the State of West Virginia is hereby made liable to all the duties in relation to said direct tax which are imposed by law upon, and is entitled to all the privileges in the same relation which are by law allowed to other loyal States: Provided, That no liability or burden whatsoever is hereby imposed or shall be imposed by said State, arising in any way out of said tax, upon lands included within the present limits of the counties of Berkeley and Jefferson, or upon the inhabitants as such, for the time being, within said limits, except upon terms accepted by a majority vote of legal voters resident within said limits.

SEC. 3. And be it further resolved, That the board of direct-tax commissioners for the State of Virginia shall have and continue to have the same authority to assess and collect the before-mentioned direct tax in the counties of Berkeley and Jefferson as if those counties still formed a part of the State of Virginia.

SEC. 4. And be it further resolved, That the Secretary of the Treasury shall be authorized to refund to persons from whom money has been received without warrant of law, as in payment of dues under the direct-tax laws, the sums so illegally collected; such refunding to be ordered on the presentation, in each case, of satisfactory evidence of the illegal collection.

SEC. 5. And be it further resolved, That the Secretary of the Treasury is hereby authorized and directed to suspend the further collection within the State of West Virginia of any part of the direct tax imposed by the act of August five, eighteen hundred and sixty-one, until the first day of June next, unless the claims of the said State against the United States are sooner adjusted.

SEC. 6. And be it further resolved, That section two of an act entitled "An act further to amend an act entitled 'An act for the collection of direct taxes in the insurrectionary States within the United States, and for other purposes,' approved June seven, eighteen hundred and sixty-two," approved March third, eighteen hundred and sixty-five, be, and the same is hereby, repealed, and certificates of sale shall be received in all courts and places as prima facie evidence of the regularity and validity of said sale and of the title of purchaser or purchasers under the same, as provided in section seven of an act entitled "An act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes," approved June seven, eighteen hundred and sixty-two.

**APPROVED, February 25, 1867.**
[No. 30.] Joint Resolution giving additional Compensation to certain Employees in the Civil Service of the Government at Washington.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be allowed and paid, out of any money in the treasury not otherwise appropriated, to the following-described persons, now employed in the civil service of the United States at Washington, as follows: To civil officers, temporary and all other clerks, messengers, and watchmen, including enlisted men detailed as such, to be computed upon the gross amount of the compensation received by them, and employees, male and female, in the executive mansion, and in any of the following-named departments, or any bureau or division thereof, to wit: State, Treasury, War, Navy, Interior, Post-Office, Attorney-General, agricultural, and including civil officers, and temporary and all other clerks and employees, male and female, in the offices of the coast survey, naval observatory, navy yard, arsenal, paymaster-general, including the division of referred claims, commissary-general of prisoners, bureau of refugees, freedmen, and abandoned lands, quartermasters, Capitol and Treasury extension, city post-office, and commissioner of public buildings, to the photographer and assistant photographer of the Treasury Department, to the superintendent of meters, and to lamplighters under the commissioner of public buildings, an additional compensation of twenty per centum on their respective salaries as fixed by law, or, where no salary is fixed by law, upon their pay respectively, for one year from and after the thirtieth day of June, eighteen hundred and sixty-six; but when any of said persons is or shall be only entitled to receive salary or pay for a part of said year, the said twenty per centum shall be computed on the amount such person is so entitled to receive for services in any or all of said departments or offices within said year: Provided, That the above-named additional compensation to the employees of the patent-office shall be paid out of the funds of said office: Provided further, That this resolution shall not apply to persons whose salaries as fixed by law exceed three thousand five hundred dollars per annum.

SEC. 2. And be it further resolved, That all acts or parts of acts herefore passed authorizing the Secretary of the Treasury to apportion or distribute among the clerks of his department any sum of money by way of additional pay or compensation are hereby repealed.

APPROVED, February 28, 1867.

[No. 31.] Joint Resolution to extend the Provisions of the Act in Regard to Agricultural Colleges, to the State of Tennessee.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of July two, eighteen hundred and sixty-two, 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," and of the "act to amend the fifth section" thereof, approved July twenty-third, eighteen hundred and sixty-six, are hereby extended and made applicable to the State of Tennessee.

APPROVED, February 28, 1867.

[No. 32.] Joint Resolution to extend the Time for the Use of certain Vessels for Quarantine Purposes at the Port of New York.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority conferred by joint resolution of March twenty-fourth, eighteen hundred and sixty-six, upon the Secretary of War and the Secretary of the Navy, respectively, to place, in their discretion, gratuitously, at the disposal of the commiss-
of quarantine continued for two years. Ante, p. 351.

Feb. 28, 1867. [No. 33.] Joint Resolution authorizing the Secretary of the Navy to grant the Use of Guns for Trial of Ridgway's Battery.

Be it 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 hereby is, authorized to grant the use of two eleven-inch Dahlgren guns to John Ridgway of Boston, for use in experimental trials of Ridgway's patent revolving battery.

APPROVED, February 28, 1867.

March 1, 1867. [No. 42.] Joint Resolution authorizing the Secretary of the Interior to pay certain Claims out of the Balance of an Appropriation for the Payment of necessary Expenditures in the Service of the United States for Indian Affairs in the Territory of Utah.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized to pay to Henry Standish, Dimick B. Huntington, Harrison Severe, and Buchanan and Company, the sums which may be found due them on the settlement of their accounts with the United States for Indian affairs in Utah Territory, not to exceed the sums, respectively, of one hundred and ninety-three dollars and fifty cents, one hundred and seventy-four dollars and seventy-five cents, and of eighteen hundred and ninety-three dollars and sixty-six cents, seven hundred and two dollars, which shall be paid out of any of the unexpended balance of the appropriation made by the act entitled "An act to supply deficiencies in the appropriations for the service of the fiscal year ending thirtieth of June, eighteen hundred and sixty," approved May twenty-fourth, eighteen hundred and sixty-two, and an act entitled "An act to authorize a change of appropriations for the payment of necessary expenditures in the service of the United States for Indian affairs," approved February twenty-second, eighteen hundred and sixty-two.

APPROVED, March 1, 1867.

March 2, 1867. [No. 44.] A Resolution for printing additional Copies of the Appendix to the Diplomatic Correspondence of eighteen hundred and sixty-five.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the number of copies of papers relating to Foreign Affairs now authorized by law, there shall be printed for distribution by the Department of State, on fine paper, with wide margin, a sufficient number of copies of the Appendix to the Diplomatic Correspondence of eighteen hundred and sixty-five, to supply one copy to each Senator and each Representative of the Thirty-Ninth Congress, and to each Foreign Government, and one copy to each corporation, association, or public body whose expressions of condolence or sympathy are published in said volume; one hundred of these copies to be bound in full Turkey morocco, full gilt, and the remaining copies to be bound in half Turkey morocco, marble-edged.

APPROVED, March 2, 1867.
Joint Resolution for the erection of an equestrian Statue to the Memory of Brevet Lieutenant-General Winfield Scott.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to contract with Henry K. Brown, Esq., of Newburgh, New York, at a price not exceeding twenty thousand dollars, for an equestrian statue, in bronze, of Brevet Lieutenant-General Winfield Scott, to be made of the guns captured in Mexico, and to be placed on Franklin Square, in the city of Washington, or such other place in the said city as the Secretary of War may designate.

APPROVED, March 2, 1867.

Joint Resolution prohibiting Payment by any Officer of the Government to any Person not known to have been opposed to the Rebellion and in favor of its Suppression.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That until otherwise ordered it shall be unlawful for any officer of the United States government to pay any account, claim, or demand against said government, which accrued or existed prior to the thirteenth day of April, A. D. eighteen hundred and sixty-one, in favor of any person who, during said rebellion, was not known to have been opposed thereto, and distinctly in favor of its suppression; and no pardon heretofore granted, or hereafter to be granted, shall authorize the payment of such account, claim, or demand, until this resolution is modified or repealed: Provided, That this resolution shall not be construed to prohibit the payment of claims founded upon contracts made by any of the departments, where such claims were assigned or contracted to be assigned prior to April first, eighteen hundred and sixty-one, to creditors of said contractors, loyal citizens of loyal States, in payment of debts incurred prior to March first, eighteen hundred and sixty-one.

APPROVED, March 2, 1867.

Joint Resolution to amend Section Five of an Act entitled "An Act to increase Duties on Imports and for other Purposes," approved June thirtieth, eighteen hundred and sixty-four.

Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the paragraph of section five of an act entitled "An act to increase duties on imports, and for other purposes," approved June thirtieth, eighteen hundred and sixty-four, as follows, to wit: "On lastings, mohair cloth, silk, twist, wool, or other manufactured cloth woven or made in patterns of such size, shape, and form, or cut in such manner as to be fit for shoes, slippers, booties, gaiters and buttons exclusively, not combined with India rubber, ten per cent ad valorem," be, and the same is hereby, repealed.

SEC. 2. And be it further resolved, That from and after the passage of this resolution, machinery for the manufacture of beet sugar, and imported for that purpose solely, shall be exempted from duty.

APPROVED, March 2, 1867.

Joint Resolution to facilitate the Settlement of Accounts of disbursing Officers.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the act entitled "An act to provide for the more prompt settlement of the accounts of disbursing officers," approved July seventeen, eighteen hundred and sixty-two, as provides that "such accounts with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the
Accounts and vouchers of disbursing officers be sent where, and all such accounts and vouchers shall hereafter be sent to the bureau to which they pertain, and, after examination there, shall be passed to the proper accounting officer of the treasury for settlement.

Approved, March 2, 1867.

March 2, 1867.

[No. 49.] A Resolution in Relation to National Banking Associations.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases where a national bank has paid or may pay in excess of what may be, or has been found due from said bank, on account of the duty required to be paid to the treasurer of the United States, the bank so having paid or paying such excess of duty may state an account therefor, which, on being certified by the treasurer of the United States, and found correct by the first comptroller of the treasury, shall be refunded in the ordinary manner by warrant on the treasury.

Approved, March 2, 1867.

March 2, 1867.

[No. 50.] Joint Resolution extending the Provisions of Section Two of an Act entitled "An Act to extend the Jurisdiction of the Court of Claims, and to provide for the Payment of certain Demands for Quartermaster's Stores and Subsistence Supplies furnished to the Army of the United States," approved July fourth, eighteen hundred and sixty-four.

Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the provisions of section two of the above-entitled act be, and they are hereby, extended to cover all cases where quartermasters' stores were actually furnished to the forces under the command of Major-General Lewis Wallace, and duly receipted for by persons acting under his authority, and whose authority shall be proven to the satisfaction of the accounting officers, during the Morgan raid through the States of Indiana and Ohio, in the summer of eighteen hundred and sixty-three, and for the purpose of giving such receipts for property so applied, the said persons shall be held to be proper officers of the government.

Approved, March 2, 1867.

March 2, 1867.

[No. 51.] A Resolution concerning the Right of Way for the Survey and Construction of an Interoceanic Ship Canal through the Isthmus of Darien.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and is hereby, directed to take such steps as may be necessary to obtain from the United States of Colombia the authority for the United States to make the necessary surveys at the Isthmus of Darien for a ship canal to connect the waters of the Atlantic and those of the Pacific ocean, and the terms upon which such right of way may be obtained by this government.

Approved, March 2, 1867.

March 2, 1867.

[No. 52] A Resolution thanking the Chambers of Senators and Deputies of Brazil for their Resolutions of Sorrow and Sympathy in the Death of President Lincoln.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States has received with respect and gratitude the resolutions of sorrow and sympathy which the Chambers of Senators and Deputies of Brazil have adopted on the death of President Lincoln, and hereby tenders to those Chambers the thanks of the people of the United States.

Sec. 2. And be it further resolved, That it shall be the duty of the
President of the United States to forward a copy of this resolution to the Emperor of Brazil, with a request that it be communicated to the two chambers.

APPROVED, March 2, 1867.

[No 53.] A Resolution relative to the Post-Office and Sub-Treasury of the City of Boston.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the mayor and postmaster of the city of Boston, the assistant treasurers for the United States at the city of Boston, the president of the board of trade of the city of Boston, and Alpheus Hardy, Daniel Davies, and John A. Andrew, of Boston, be appointed a commission to select a proper site for a building for a post-office and for the accommodation of the sub-treasury in the city of Boston, and that they report to the Postmaster-General and the Secretary of the Treasury at their earliest convenience, the selection upon which they or a majority of them may agree, and the price at which such site can be purchased by the government for the purposes contemplated in this resolution, if a new site should be selected; and that if said report shall meet the approbation of the Postmaster-General and the Secretary of the Treasury, they shall communicate the same, with such additional suggestions as they may think proper, to Congress.

APPROVED, March 2, 1867.

[No. 54.] Joint Resolution to enable the Secretary of War to carry out an Agreement in Relation to Water Power for the Arsenal at Rock Island.

Be it resolved 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 empowered to carry into effect the recommendations of the commissioners appointed under the acts of April nineteen, eighteen hundred and sixty-four, and June twenty-seven, eighteen hundred and sixty-six, relative to the Moline Water Company and the water power at Rock Island, Illinois, as contained in the report of said commissioners, and to make application for that purpose of the money heretofore appropriated for securing water power at the head of Rock Island.

APPROVED, March 2, 1867.

[No. 55.] A Resolution to provide for the Exchange of certain Public Documents.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That fifty copies of all documents hereafter printed by order of either House of Congress, and fifty copies additional of all documents printed in excess of the usual number, together with fifty copies of each publication issued by any department or bureau of the government, be placed at the disposal of the joint committee on the Library, who shall exchange the same, through the agency of the Smithsonian Institution, for such works published in foreign countries, and especially by foreign governments, as may be deemed by said committee an equivalent; said works to be deposited in the library of Congress.

APPROVED, March 2, 1867.

[No. 56.] Joint Resolution for the Reduction of the Military Reservation of Fort Riley, and to grant Land for Bridge Purposes to the State of Kansas.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the southwestern boundary of the military reservation of Fort Riley, in the State of Kansas, be, and the same is hereby, declared to be hereafter the channel of the Republican boundary of military reservation of Fort Riley established.
Land released
government. from its mouth to the point where said river intersects the present
river, from its mouth to the point where said river intersects the present
western line of said reservation, and the land released from said reservation
and lying between the Smoky Hill and Republican rivers, is hereby
and lying between the Smoky Hill and Republican rivers, is hereby
granted to the State of Kansas to aid in the construction of a bridge over
granted to the State of Kansas to aid in the construction of a bridge over
the Republican river, on the public highway leading through the present
the Republican river, on the public highway leading through the present
reservation; but upon the express condition that this grant shall be ac-
reservation; but upon the express condition that this grant shall be ac-
cepted by the State of Kansas with a guaranty given by said State, by
cepted by the State of Kansas with a guaranty given by said State, by
an act of the legislature thereof, that said bridge shall be kept up and
an act of the legislature thereof, that said bridge shall be kept up and
maintained in good condition, and shall be free to the use of the govern-
maintained in good condition, and shall be free to the use of the govern-
ment of the United States, for all transit purposes forever, without tolls
government of the United States, for all transit purposes forever, without tolls
or charges, and on such acceptance and guaranty being filed in the office
or charges, and on such acceptance and guaranty being filed in the office
of the Secretary of the Interior, together with the certificate of the gov-
of the Secretary of the Interior, together with the certificate of the gov-
ernor of Kansas that a good and permanent bridge has been constructed
ernor of Kansas that a good and permanent bridge has been constructed
over the said Republican river, it shall be the duty of said Secretary to
over the said Republican river, it shall be the duty of said Secretary to
issue patent, for the land hereby granted, to the State of Kansas, or to
issue patent, for the land hereby granted, to the State of Kansas, or to
such company as may be authorized, by act of the legislature of said
such company as may be authorized, by act of the legislature of said
State, to construct said bridge: Provided, however, That nothing herein
State, to construct said bridge: Provided, however, That nothing herein
contained shall be construed to interfere with any grant of any part of
contained shall be construed to interfere with any grant of any part of
said land heretofore made by the United States.
said land heretofore made by the United States.

APPROVED, March 2, 1867.

[No. 57] A. Resolution presenting the Thanks of Congress to Cyrus W. Field.

Resolved by the Senate and House of Representatives of the United
Resolved by the Senate and House of Representatives of the United
States of America in Congress assembled, That the thanks of Congress
States of America in Congress assembled, That the thanks of Congress
be, and they hereby are, presented to Cyrus W. Field, of New York, for
be, and they hereby are, presented to Cyrus W. Field, of New York, for
his foresight, courage, and determination in establishing telegraphic com-
his foresight, courage, and determination in establishing telegraphic com-
munication by means of the Atlantic cable, traversing mid-ocean and con-
munication by means of the Atlantic cable, traversing mid-ocean and con-
necting the Old World with the New; and that the President of
necting the Old World with the New; and that the President of
the United States be requested to cause a gold medal to be struck, with suit-
the United States be requested to cause a gold medal to be struck, with suit-
able emblems, devices, and inscription, to be presented to Mr. Field.
able emblems, devices, and inscription, to be presented to Mr. Field.

SEC. 2. And be it further resolved, That when the medal shall have
SEC. 2. And be it further resolved, That when the medal shall have
been struck, the President shall cause a copy of this joint resolution to
been struck, the President shall cause a copy of this joint resolution to
be engrossed on parchment, and shall transmit the same, together with
be engrossed on parchment, and shall transmit the same, together with
the medal, to Mr. Field, to be presented to him in the name of the people
the medal, to Mr. Field, to be presented to him in the name of the people
of the United States of America.
of the United States of America.

SEC. 3. And be it further resolved, That a sufficient sum of money to
SEC. 3. And be it further resolved, That a sufficient sum of money to
carry this resolution into effect is hereby appropriated out of any money
carry this resolution into effect is hereby appropriated out of any money
in the treasury not otherwise appropriated.
in the treasury not otherwise appropriated.

APPROVED, March 2, 1867.

[No. 58] Joint Resolution instructing the Secretary of the Interior to order a Survey for a
Joint Resolution instructing the Secretary of the Interior to order a Survey for a
Bridge or Bridges across the Potomac.

Be it resolved by the Senate and House of Representatives of the United
Be it resolved by the Senate and House of Representatives of the United
States of America in Congress assembled, That the Secretary of the In-
States of America in Congress assembled, That the Secretary of the In-
terior be directed to order a survey, by a competent engineer, of the
terior be directed to order a survey, by a competent engineer, of the
ground and river at and near the Aqueduct Bridge, in this District, and
ground and river at and near the Aqueduct Bridge, in this District, and
report upon the practicability of constructing there a bridge across the
report upon the practicability of constructing there a bridge across the
Potomac without obstructing the navigation of the river, and the proba-
Potomac without obstructing the navigation of the river, and the proba-
ble cost thereof, separately estimating for a common bridge, and for a
ble cost thereof, separately estimating for a common bridge, and for a
bridge both for railway and common travel. Also to examine and report
bridge both for railway and common travel. Also to examine and report
touching the like bridges at or near the Long Bridge; and whether the
touching the like bridges at or near the Long Bridge; and whether the
same can be there built so as to avoid obstructions of the navigation
same can be there built so as to avoid obstructions of the navigation
thereby, and the probable cost thereof; said report to be made at the ear-
thereby, and the probable cost thereof; said report to be made at the ear-
liest day practicable.
liest day practicable.

APPROVED, March 2, 1867.
[No. 59.] Joint Resolution authorizing the Secretary of State to present to Captain James G. Smith, of the British Brig "Victoria," a Gold Chronometer, in Token of Appreciation of his Services in rescuing from Death the Master, Officers, and Crew, and Passengers on Board of the American Brig "E. H. Fittler.”

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he is hereby, authorized and directed to cause to be procured and presented to Captain James G. Smith, master of the brig "Victoria," of Yarmouth, Nova Scotia, a gold chronometer, in token of appreciation by the government of the United States of his humane and successful efforts in rescuing from death the master, officers, crew, and passengers on board the brig E. H. Fittler, of Philadelphia, wrecked at sea on the morning of January twenty-second, eighteen hundred and sixty-seven.

APPROVED, March 2, 1867.

[No. 60.] Joint Resolution in Relation to the Erection of a Jail in the District of Columbia.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That no money shall be paid out of the treasury towards the construction of the new jail for the District of Columbia under the act approved twenty-fifth July, eighteen hundred and sixty-six, unless the letting of the contract for the building of said jail shall be suspended and delayed until perfected plans for the entire work shall have been completed and approved by a board of three, composed of disinterested and competent engineers and architects, of which Quartermaster-General M. C. Meigs, and A. B. Mullet, architect of the Treasury Department, shall be two, nor unless the letting of such contract shall have been open to fair and equal competition, on seasonable notice printed in two leading newspapers printed and published in the city of Washington after such approval of such new and perfected plans, and that the Secretary of the Interior be also authorized and directed to select a new site for said jail under the said act.

APPROVED, March 2, 1867.
APPENDIX.

No. 1.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: April 2, 1866.

A PROCLAMATION.

WHEREAS, by proclamations of the fifteenth and nineteenth of April, one thousand eight hundred and sixty-one, the President of the United States, in virtue of the power vested in him by the Constitution and the laws, declared that the laws of the United States were opposed, and the execution thereof obstructed, in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by law;

And whereas, by another proclamation, made on the sixteenth day of August, in the same year, in pursuance of an act of Congress approved July thirteen, one thousand eight hundred and sixty-one, the inhabitants of the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, and Florida (except the inhabitants of that part of the State of Virginia lying west of the Alleghany Mountains, and of such other parts of that State and the other States before named, as might maintain a loyal adhesion to the Union and the Constitution, or might be from time to time occupied and controlled by forces of the United States engaged in the dispersion of insurgents) were declared to be in a state of insurrection against the United States;

And whereas, by another proclamation, of the first day of July, one thousand eight hundred and sixty-two, issued in pursuance of an act of Congress approved June seven, in the same year, the insurrection was declared to be still existing in the States aforesaid, with the exception of certain specified counties in the State of Virginia;

And whereas, by another proclamation, made on the second day of April, one thousand eight hundred and sixty-three, in pursuance of the act of Congress of July thirteen, one thousand eight hundred and sixty-one, the exceptions named in the proclamation of August sixteen, one thousand eight hundred and sixty-one were revoked, and the inhabitants of the States of Georgia, South Carolina, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, Florida, and Virginia (except the forty-eight counties of Virginia designated as West Virginia, and the ports of New Orleans, Key West, Port Royal, and Beaufort, in North Carolina) were declared to be still in a state of insurrection against the United States;

And whereas the House of Representatives, on the twenty-second day of July, one thousand eight hundred and sixty-one, adopted a resolution in the words following, namely:

"Resolved by the House of Representatives of the Congress of the United States, That the present deplorable civil war has been forced upon the country by the disunionists of the southern States, now in revolt against the Constitutional government, and in arms around the capital; that in this national emergency, Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole country; that this war is not waged upon our part in any spirit of oppression nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; and that as soon as these objects are accomplished the war ought to cease."
And whereas the Senate of the United States, on the twenty-fifth day of July, one thousand eight hundred and sixty-one, adopted a resolution in the words following, to wit:—

"Resolved, That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States, now in revolt against the Constitutional government, and in arms around the capital; that in this national emergency, Congress, banishing all feeling of mere passion or resentment, will recollect only its duty to the whole country; that this war is not prosecuted upon our part in any spirit of oppression nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution and all laws made in pursuance thereof, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; that as soon as these objects are accomplished the war ought to cease."

And whereas these resolutions, though not joint or concurrent in form, are substantially identical, and as such may be regarded as having expressed the sense of Congress upon the subject to which they relate;

Vol. xiii. p. 763. And whereas, by my proclamation of the thirteenth day of June last, the insurrection in the State of Tennessee was declared to have been suppressed, the authority of the United States therein to be undisputed, and such United States officers as had been duly commissioned to be in the undisturbed exercise of their official functions;

And whereas there now exists no organized armed resistance of misguided citizens or others to the authority of the United States in the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Arkansas, Mississippi, and Florida, and the laws can be sustained and enforced therein by the proper civil authority, State or Federal, and the people of said States are well and loyally disposed, and have conformed or will conform in their legislation to the condition of affairs growing out of the amendment to the Constitution of the United States, prohibiting slavery within the limits and jurisdiction of the United States;

And whereas, in view of the before-recited premises, it is the manifest determination of the American people that no State, of its own will, has the right or the power to go out of, or separate itself from, or be separated from the American Union, and that therefore each State ought to remain and constitute an integral part of the United States;

And whereas the people of the several before-mentioned States have, in the manner aforesaid, given satisfactory evidence that they acquiesce in this sovereign and important resolution of national unity;

And whereas it is believed to be a fundamental principle of government that people who have revolted, and who have been overcome and subdued, must either be dealt with so as to induce them voluntarily to become friends, or else they must be held by absolute military power, or devastated, so as to prevent them from ever again doing harm as enemies, which last-named policy is abhorrent to humanity and to freedom;

And whereas the Constitution of the United States provides for constituent communities only as States, and not as Territories, dependencies, provinces, or protectorates;

And whereas such constituent States must necessarily be, and by the Constitution and laws of the United States are made equals, and placed upon a like footing as to political rights, immunities, dignity, and power with the several States with which they are united;

And whereas the observance of political equality as a principle of right and justice is well calculated to encourage the people of the aforesaid States to be and become more and more constant and persevering in their renewed allegiance;

And whereas standing armies, military occupation, martial law, military tribunals, and the suspension of the privilege of the writ of habeas corpus are, in time of peace, dangerous to public liberty, incompatible with the individual rights of the citizen, contrary to the genius and spirit of our free institutions, and exhaustive of the national resources, and ought not, therefore, to be sanctioned or allowed, except in cases of actual necessity, for repelling invasion or suppressing insurrection or rebellion;

And whereas the policy of the government of the United States, from the beginning of the insurrection to its overthrow and final suppression, has been in conformity with the principles herein set forth and enumerated;

Now, therefore, I, ANDREW JOHNSON, president of the United States, do hereby proclaim and declare that the insurrection which heretofore existed in
APPENDIX.

The insurrection declared at an end in certain States of the Union.

Done at the city of Washington, this second day of April, in the year of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,

Secretary of State.

No. 2.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

June 6, 1866.

A PROCLAMATION.

WHEREAS it has become known to me that certain evil-disposed persons have, within the territory and jurisdiction of the United States, begun and set on foot and have provided and prepared and are still engaged in providing and preparing means for a military expedition and enterprise, which expedition and enterprise is to be carried on from the territory and jurisdiction of the United States against colonies, districts and people of British North America within the dominions of the United Kingdom of Great Britain and Ireland, with which said colonies, districts and people and Kingdom the United States are at peace; and whereas the proceedings aforesaid constitute a high misdemeanor, forbidden by the laws of the United States as well as by the law of nations:

Now, therefore, for the purpose of preventing the carrying on of the unlawful expedition and enterprise aforesaid from the territory and jurisdiction of the United States and to maintain the public peace, as well as the national honor, and enforce obedience and respect to the laws of the United States, I, ANDREW JOHNSON, President of the United States, do admonish and warn all good citizens of the United States as well as by the law of nations:

And pursuant to the act of Congress in such case made and provided, I do furthermore authorize and empower Major-General George G. Meade, Commander of the Military Division of the Atlantic, to employ the land and naval forces of the United States and the militia thereof, to arrest and prevent the setting on foot and carrying on the expedition and enterprise aforesaid.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this sixth day of June, in the year of our Lord one thousand eight hundred and sixty-six and of the Independence of the United States the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, Secretary of State.
APPENDIX.

No. 3.

August 17, 1866. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Preamble. WHEREAS a war is existing in the Republic of Mexico, aggravated by foreign military intervention;

And whereas the United States, in accordance with their settled habits and policy, are a neutral power in regard to the war which thus afflicts the Republic of Mexico;

And whereas it has become known that one of the belligerents in the said war, namely, the Prince Maximilian, who asserts himself to be Emperor in Mexico, has issued a decree in regard to the port of Matamoras, and other Mexican ports which are in the occupation and possession of another of the said belligerents, namely, the United States of Mexico, which decree is in the following words:

"The port of Matamoras, and all those of the northern frontier which have withdrawn from their obedience to the government, are closed to foreign and coasting traffic during such time as the empire of the law shall not be therein reinstated.

"ART. 2d. Merchandise proceeding from the said ports, on arriving at any other where the excise of the Empire is collected, shall pay the duties on importation, introduction, and consumption; and on satisfactory proof of contravention shall be irremissibly confiscated. Our Minister of the Treasury is charged with the punctual execution of this decree.

"Given at Mexico, the 9th of July, 1866."

And whereas the decree thus recited, by declaring a belligerent blockade unsupported by competent military or naval force, is in violation of the neutral rights of the United States, as defined by the law of nations, as well as of the treaties existing between the United States of America and the aforesaid United States of Mexico;

Now, therefore, I, ANDREW JOHNSON, President of the United States, do hereby proclaim and declare, that the aforesaid decree is held, and will be held, by the United States to be absolutely null and void, as against the government and citizens of the United States; and that any attempt which shall be made to enforce the same against the government or the citizens of the United States will be disallowed.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington the seventeenth day of August, in the year of our Lord one thousand eight hundred and sixty-six, and [SEAL.] of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, Secretary of State.

No. 4.

August 20, 1866. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Preamble. WHEREAS, by proclamations of the fifteenth and nineteenth of April, eighteen hundred and sixty-one, the President of the United States, in virtue of the power vested in him by the Constitution and the Laws, declared that the laws of the United States were opposed, and the execution thereof obstructed, in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by law;
And whereas, by another proclamation, made on the sixteenth day of Au-
gust, in the same year, in pursuance of an act of Congress approved July thir-
ten, one thousand eight hundred and sixty-one, the inhabitants of the States
of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama,
Louisiana, Texas, Arkansas, Mississippi, and Florida, (except the inhabitants
of that part of the State of Virginia lying west of the Alleghanies, and
except also the inhabitants of such other parts of that State, and the other
States before named, as might maintain a loyal adhesion to the Union and the
Constitution, or might be from time to time occupied and controlled by forces
of the United States engaged in the dispersal of insurgents,) were declared to
be in a state of insurrection against the United States;

And whereas, by another proclamation, of the first day of July, one thousand
eight hundred and sixty-two, issued in pursuance of an act of Congress, ap-
proved June seventh, in the same year, the insurrection was declared to be still
existing in the States aforesaid, with the exception of certain specified counties
in the State of Virginia;

And whereas, by another proclamation, made on the second day of April, one
thousand eight hundred and sixty-three, in pursuance of the act of Con-
grass of July thirteen, one thousand eight hundred and sixty-one, the exceptions
named in the proclamation of August sixteen, one thousand eight hundred and
sixty-one, were revoked, and the inhabitants of the States of Georgia, South
Carolina, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas,
Mississippi, Florida, and Virginia (except the forty-eight counties of Virginia
designated as West Virginia, and the ports of New Orleans, Key West, Fort
Royal, and Beaufort, in North Carolina) were declared to be still in a state of
insurrection against the United States;

And whereas, by another proclamation of the fifteenth day of September, one
thousand eight hundred and sixty-three, made in pursuance of the act of Con-
grass approved March third, one thousand eight hundred and sixty-three, the
rebellion was declared to be still existing, and the privilege of the writ of habeas
corpus was in certain specified cases suspended throughout the United States—
said suspension to continue throughout the duration of the rebellion, or until
said proclamation should, by a subsequent one to be issued by the President of
the United States, be modified or revoked;

And whereas the House of Representatives, on the twenty-second day of
July, one thousand eight hundred and sixty-one, adopted a resolution in the
words following, namely:

"Resolved by the House of Representatives of the Congress of the United
States, That the present deplorable civil war has been forced upon the country
by the disunionists of the southern States, now in revolt against the Constitu-
tional government, and in arms around the capital; that in this national emer-
gency, Congress, banishing all feelings of mere passion or resentment, will re-
collect only its duty to the whole country; that this war is not waged upon our
part in any spirit of oppression nor for any purpose of conquest or subjugation,
nor purpose of overthrowing or interfering with the rights or established insti-
tutions of those States, but to defend and maintain the supremacy of the Con-
stitution, and to preserve the Union with all the dignity, equality, and rights of
the several States unimpaired; and that as soon as these objects are accom-
plished the war ought to cease."

And whereas, the Senate of the United States, on the twenty-fifth day of
July, one thousand eight hundred and sixty-one, adopted a resolution in the
words following, to wit:

"Resolved, That the present deplorable civil war has been forced upon the coun-
try by the disunionists of the southern States, now in revolt against the Con-
stitutional government, and in arms around the capital; that in this na-
tional emergency, Congress, banishing all feeling of mere passion or resentment,
will recollect only its duty to the whole country; that this war is not prosecuted
upon our part in any spirit of oppression nor for any purpose of conquest or
subjugation, nor purpose of overthrowing or interfering with the rights or es-

tablished institutions of those States, but to defend and maintain the supremacy
of the Constitution and all laws made in pursuance thereof, and to preserve the
Union with all the dignity, equality, and rights of the several States unimpaired;
that as soon as these objects are accomplished the war ought to cease."

And whereas these resolutions, though not joint or concurrent in form, are
substantially identical, and as such have hitherto been and yet are regarded as
having expressed the sense of Congress upon the subject to which they relate;

And whereas, the President of the United States by proclamation of the
thirteenth of June, eighteen hundred and sixty-five, declared that the insurrection in the State of Tennessee had been suppressed, and that the authority of the United States therein was undisputed, and that such United States officers as had been duly commissioned were in the undisturbed exercise of their official functions;

And whereas, the President of the United States, by further proclamation issued on the second day of April, one thousand eight hundred and sixty-six, did promulgate and declare, that there no longer existed any armed resistance of misguided citizens, or others, to the authority of the United States in any, or in all the States before mentioned, excepting only the State of Texas, and did further promulgate and declare that the laws could be sustained and enforced in the several States before mentioned, except Texas, by the proper civil authorities, State, or Federal, and that the people of the said States, except Texas, are well and loyally disposed, and have conformed or will conform in their legislation to the condition of affairs growing out of the amendment to the Constitution of the United States, prohibiting slavery within the limits and jurisdiction of the United States;

And did further declare in the same proclamation that it is the manifest determination of the American people that no State, of its own will, has a right or power to go out of or separate itself from, or be separated from the American Union; and that, therefore, each State ought to remain and constitute an integral part of the United States;

And did further declare in the same last-mentioned proclamation, that the several aforementioned States, excepting Texas, had, in the manner aforesaid, given satisfactory evidence that they acquiesce in this sovereign and important resolution of national unity;

And whereas, the President of the United States in the same proclamation did further declare that it is believed to be a fundamental principle of government that the people who have revolted, and who have been overcome and subdued, must either be dealt with so as to induce them voluntarily to become friends, or else they must be held by absolute military power, or devastated, so as to prevent them from ever again doing harm as enemies, which last-named policy is abhorrent to humanity and to freedom;

And whereas, the President did in the same last-mentioned proclamation declare that the Constitution of the United States provides for constituent communities only as States, and not as Territories, dependencies, provinces or protectorates;

And further, that such constituent States must necessarily be, and by the Constitution and laws of the United States are made equals, and placed upon a like footing as to political rights, immunities, dignity and power with the several States with which they are united;

And did further declare, that the observance of political equality as a principle of right and justice is well calculated to encourage the people of the before-named States, except Texas, to be, and to become more and more constant and persevering in their renewed allegiance;

And whereas, the President did further declare that standing armies, military occupation, martial law, military tribunals, and the suspension of the writ of habeas corpus are, in time of peace, dangerous to public liberty, incompatible with the individual rights of the citizen, contrary to the genius and spirit of our free institutions, and exhaustive of the national resources, and ought not, therefore, to be sanctioned, or allowed, except in cases of actual necessity, for repelling invasion or suppressing insurrection or rebellion;

And the President did further in the same proclamation declare that the policy of the government of the United States from the beginning of the insurrection, to its overthrow and final suppression, had been conducted in conformity with the principles in the last-mentioned proclamation recited;

And whereas, the President in the said proclamation of the thirteenth of June, one thousand eight hundred and sixty-five, upon the grounds therein stated and hereinbefore recited, did then and thereby proclaim and declare that the insurrection which heretofore existed in the several States before named, except in Texas, was at an end, and was henceforth to be so regarded;

And whereas, subsequently to the said second day of April, one thousand eight hundred and sixty-six, the insurrection in the State of Texas has been completely and everywhere suppressed and ended, and the authority of the United States has been successfully and completely established in the said State of Texas, and now remains therein unresisted and undisputed, and such of the proper United States officers as have been duly commissioned within the limits of the said State, are now in the undisturbed exercise of their official functions;
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And whereas, the laws can now be sustained and enforced in the said State of Texas, by the proper civil authority, State or Federal, and the people of the said State of Texas, like the people of the other States before named, are well and loyally disposed, and have conformed or will conform in their legislation to the condition of affairs growing out of the amendment of the Constitution of the United States, prohibiting slavery within the limits and jurisdiction of the United States;

And whereas all the reasons and conclusions set forth in regard to the several States therein specially named now apply equally and in all respects to the State of Texas, as well as to the other States which has been involved in insurrection;

And whereas, adequate provision has been made by military orders, to enforce the execution of the acts of Congress, aid the civil authorities, and secure obedience to the Constitution and laws of the United States within the State of Texas, if a resort to military force for such purpose should at any time become necessary;

Now, therefore, I, ANDREW JOHNSON, President of the United States, do hereby proclaim and declare that the insurrection which heretofore existed in the State of Texas is at an end, and is to be henceforth so regarded in that State, as in the other States before named, in which the said insurrection was proclaimed to be at an end, by the aforesaid proclamation of the second day of April, one thousand eight hundred and sixty-six.

And I do further proclaim that the said insurrection is at an end, and that peace, order, tranquillity and civil authority now exist in and throughout the whole of the United States of America.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twentieth day of August, in the [seal.] year of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

No. 5.

NATIONAL THANKSGIVING.

BY THE PRESIDENT OF THE UNITED STATES [OF AMERICA:] Oct. 8, 1866.

A PROCLAMATION.

ALMIGHTY GOD, our heavenly Father, has been pleased to vouchsafe to us, as a people, another year of that national life which is an indispensable condition of peace, security, and progress. That year has, moreover, been crowned with many peculiar blessings.

The civil war that so recently closed among us has not been anywhere reopened. Foreign intervention has ceased to excite alarm or apprehension. Intrusive pestilence has been benignly mitigated. Domestic tranquillity has improved, sentiments of conciliation have largely prevailed, and affections of loyalty and patriotism have been widely renewed. Our fields have yielded quite abundantly. Our mining industry has been richly rewarded, and we have been allowed to extend our railroad system far into the interior recesses of the country, while our commerce has resumed its customary activity in foreign seas.

These great national blessings demand a national acknowledgment.

Now, therefore, I, ANDREW JOHNSON, President of the United States, do hereby recommend that Thursday, the twenty-ninth day of November next, be set apart and be observed everywhere in the several States and Territories of the United States by the people thereof as a day of thanksgiving and praise to Almighty God, with due remembrance that "in His temple doth every man
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speak of His honor." I recommend, also, that, on the same solemn occasion, they do humbly and devoutly implore Him to grant to our National Councils and to our whole people that divine wisdom which alone can lead any nation into the ways of all good.

In offering these national thanksgivings, praises and supplications, we have the divine assurance that "the Lord remaineth a King forever; them that are meek shall He guide in judgment, and such as are gentle shall He learn His way. The Lord shall give strength to His people, and the Lord shall give to His people the blessing of peace."

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this eighth day of October, in the year of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, Secretary of State.

No. 6.

Dec. 28, 1866. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Preamble.

Whereas satisfactory evidence has been received by me from his Imperial Majesty the Emperor of France, through the Marquis de Montholon, his Envoy Extraordinary and Minister Plenipotentiary, that vessels belonging to citizens of the United States entering any port of France or of its dependencies, on or after the first day of January, one thousand eight hundred and sixty-seven, will not be subjected to the payment of higher duties on tonnage than are levied upon vessels belonging to citizens of France entering the said ports:

Now, therefore, I, ANDREW JOHNSON, President of the United States of America, by virtue of the authority vested in me by an act of Congress of the seventh day of January, one thousand eight hundred and twenty-four, entitled "An act concerning discriminating duties of tonnage and impost," and by an act in addition thereto, of the twenty-fourth day of May, one thousand eight hundred and twenty-eight, do hereby declare and proclaim that on and after the said first day of January, one thousand eight hundred and sixty-seven, so long as vessels of the United States shall be admitted to French ports on the terms aforesaid, French vessels entering ports of the United States will be subject to no higher rates of duty on tonnage than are levied upon vessels of the United States in the ports thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-eighth day of December, in the year of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, Secretary of State.
APPENDIX.

No. 7.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Jan. 12, 1867.

A PROCLAMATION.

WHEREAS, in virtue of the power conferred by the act of Congress approved June twenty-second, one thousand eight hundred and sixty, sections fifteen and twenty-four of which act were designed by proper provisions to secure the strict neutrality of citizens of the United States residing in or visiting the empires of China and Japan, a notification was issued on the fourth of August last by the legation of the United States in Japan, through the consulates of the open ports of that empire, requesting American shipmasters not to approach the coasts of Suwo and Nagato pending the then contemplated hostilities between the Tycoon of Japan and the Daimio of the said provinces:

And whereas authentic information having been received by the said legation that such hostilities had actually commenced, a regulation, in furtherance of the aforesaid notification and pursuant to the act referred to, was issued by the minister resident of the United States in Japan forbidding American merchant vessels from stopping or anchoring at any port or roadstead in that country except the three opened ports, viz: Kanagawa, (Yokohama,) Nagasaki, and Hakodate, unless in distress or forced by stress of weather, as provided by treaty, and giving notice that masters of vessels committing a breach of the regulation would thereby render themselves liable to prosecution and punishment, and also to forfeiture of the protection of the United States, if the visit to such non-opened port or roadstead should either involve a breach of treaty or be construed as an act in aid of insurrection or rebellion:

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, with a view to prevent acts which might injuriously affect the relations existing between the government of the United States and that of Japan, do hereby call public attention to the aforesaid notification and regulation, which are hereby sanctioned and confirmed.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twelfth day of January, in the year of our Lord one thousand eight hundred and sixty-seven, and of the Independence of the United States the ninety-first.

ANDREW JOHNSON.

By the President
WILLIAM H. SEWARD, Secretary of State.

No. 8.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Jan. 29, 1867.

A PROCLAMATION.

WHEREAS by an act of the Congress of the United States of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An act in addition to an act, entitled 'An act concerning discriminating duties of tonnage and impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided that upon satisfactory evidence being given to the President of the United States by the government of any foreign nation that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise imported into the United States in
the same from the said foreign nation, or from any other foreign country, the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes, as aforesaid, shall be continued and no longer:

And whereas satisfactory evidence has lately been received by me from his Majesty the King of the Hawaiian Islands, through an official communication of his Majesty's Minister of Foreign Relations, under date of the tenth of December, one thousand eight hundred and sixty-six, that no other or higher duties of tonnage and impost are imposed or levied in the ports of the Hawaiian Islands upon vessels wholly belonging to citizens of the United States, and upon the produce, manufactures, or merchandise imported in the same from the United States, and from any foreign country whatever, than are levied on Hawaiian ships and their cargoes in the same ports under like circumstances:

Now, therefore, I, Andrew Johnson, President of the United States of America, do hereby declare and proclaim that so much of the several acts imposing discriminating duties of tonnage and impost within the United States are, and shall be, suspended and discontinued so far as respects the vessels of the Hawaiian Islands, and the produce, manufactures, and merchandise imported into the United States in the same from the dominions of the Hawaiian Islands, and from any other foreign country whatever, the said suspension to take effect from the said tenth day of December, and to continue thenceforward, so long as the reciprocal exemption of the vessels of the United States, and the produce, manufactures, and merchandise imported into the dominions of the Hawaiian Islands in the same, as aforesaid, shall be continued on the part of the government of his Majesty the King of the Hawaiian Islands.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, the twenty-ninth day of January, in the year of our Lord one thousand eight hundred and sixty-seven, and of the Independence of the United States of America the ninety-first.

Andrew Johnson.

By the President:
William H. Seward, Secretary of State.

No. 9.

March 1, 1867.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Preamble.

Whereas the Congress of the United States did, by an act approved on the nineteenth day of April, one thousand eight hundred and sixty-four, authorize the people of the Territory of Nebraska to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, upon certain conditions in said act specified; and whereas said people did adopt a constitution conforming to the provisions and conditions of said act, and ask admission into the Union; and whereas the Congress of the United States did, on the eighth and ninth days of February, one thousand eight hundred and sixty-seven, in mode prescribed by the Constitution, pass a further act for the admission of the State of Nebraska into the Union, in which last-named act it was provided that it should not take effect except upon the fundamental condition that within the State of Nebraska there should be no denial of the elective franchise or of any other right to any person by reason of race or color, excepting Indians not taxed, and upon the further fundamental condition that the legislature of said State, by a solemn public act, should declare the assent of said State to the said fundamental condition, and should transmit to the President of the United States an authenticated copy of said act of the legislature of said State, upon receipt whereof the President, by proclamation, should forthwith announce the fact, whereupon said fundamental condition should be held as a part of the organic law of the State, and thereupon, and without any further proceeding on the part of Congress, the admission of
said State into the Union should be considered as complete; and whereas within
the time prescribed by said act of Congress of the eighth and ninth of February,
one thousand eight hundred and sixty-seven, the legislature of the State of Ne-
braska did pass an act ratifying the said act of Congress of the eighth and ninth
of February, one thousand eight hundred and sixty-seven, and declaring that
the aforesaid provisions of the third section of said last-named act of Congress
should be a part of the organic law of the State of Nebraska; and whereas a
duly authenticated copy of said act of the legislature of the State of Nebraska
has been received by me:

Now, therefore, I, ANDREW JOHNSON, President of the United States of
America, do, in accordance with the provisions of the act of Congress last herein
named, declare and proclaim the fact that the fundamental conditions imposed
by Congress on the State of Nebraska to entitle that State to admission to the
Union have been ratified and accepted, and that the admission of the said State
into the Union is now complete.

In testimony whereof I have hereto set my hand, and have caused the seal of
the United States to be affixed.

Done at the city of Washington, this first day of March, in the year of
our Lord one thousand eight hundred and sixty-seven, and of the In-
dependence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD, Secretary of State.

No. 10.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: March 30, 1867.

A PROCLAMATION.

WHEREAS objects of interest to the United States require that the Senate
should be convened at twelve o'clock on Monday the first day of April next,
to receive and act upon such communications as may be made to it on the part
of the Executive:

Now, therefore, I, ANDREW JOHNSON, President of the United States, have
considered it to be my duty to issue this my proclamation, declaring that an
extraordinary occasion requires the Senate of the United States to convene for the
transaction of business at the Capitol, in the city of Washington, on Monday the
first day of April next, at twelve o'clock on that day, of which all who shall at
that time be entitled to act as members of that body are hereby required to take
notice.

Given under my hand and the seal of the United States, at Washington, the
thirtieth day of March, in the year of our Lord one thousand eight
hundred and sixty-seven, and of the Independence of the United
States of America the ninety-first.

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD, Secretary of State.