CHAP. XLV. — *An Act to carry into Effect Conventions between the United States and the Republics of New Granada and Costa Rica.* February 20, 1861

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, by and with the advice and consent of the Senate, shall appoint a commissioner whose duty it shall be, conjointly with a commissioner appointed by the Government of New Granada, to investigate, adjust, and determine the amount of the claims of citizens of the United States against the Government of New Granada, pursuant to the terms of a convention signed at Washington on the tenth of September, eighteen hundred and fifty-seven.

Post, p. 615.

Commission to determine the amount of claims of citizens of the United States against New Granada.

Post, p. 985.

SEC. 2. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall appoint a secretary to said commissioner in behalf of the United States, versed in the English and Spanish languages, and the said board is hereby authorized to appoint a clerk.

Secretary to commissioner.

SEC. 3. *And be it further enacted*, That the compensation of the respective officers, for whose appointment provision is made by this act, shall be as follows: to the commissioner, in full for his services, two thousand five hundred dollars; to the secretary and interpreter, in full for his services, the sum of two thousand dollars; and the President of the United States shall be and he is hereby authorized to make such provision for the contingent expenses of the said commission on the part of the United States as shall to him appear reasonable and proper.

Pay of commissioner, secretary, and interpreter.

SEC. 4. *And be it further enacted*, That the said commissioner on the part of the United States, in conjunction with the commissioner on the part of New Granada, shall be and he is hereby authorized to make all needful rules and regulations for conducting the business of their said commission; such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the provisions of the said convention.

Regulations for the commission.

SEC. 5. *And be it further enacted*, That the Secretary of State is hereby authorized and required to transmit to the said commissioner such papers or records relating to the said commission as he may deem proper, or as may be called for by the said commissioners, and at the termination of the commission, all the records, documents, and all other papers which have been brought before the Commissioners, or which may be in possession of their secretary, shall be deposited in the Department of State: *Provided*, That this section shall not be so construed as to prevent the commissioner on the part of New Granada from depositing in the said Department certified copies or duplicates of papers filed on behalf of his Government instead of originals.

Secretary of State to transmit proper papers to commissioner.

Proviso.

SEC. 6. *And be it further enacted*, That upon suggestion by any claimant that a witness whose testimony may be deemed important to him refuses or is unwilling to testify in regard to his claim, it shall be competent for said Board of Commissioners to issue a commission to some suitable person to take the testimony of such witness, and such witness may be compelled to appear and testify before such commissioners in the same manner as is now provided by law in the case of commissions issued from the courts of the United States.

Testimony of unwilling witnesses, how taken.

Post, p. 615.

SEC. 7. *And be it further enacted*, That all acknowledgment of indebtedness on the part of the Government of New Granada to claimants, citizens of the United States, being established by the award of the Board of Commissioners, shall be delivered to the Government of the United States, and made payable thereto; and the United States shall thereupon assume and pay to such claimants, at the Treasury, upon the certificate of the Board of Commissioners, whatsoever sums of money shall have been severally awarded them, the Government of the United States becoming thereby the creditor of the Government of New Granada, for the

Indebtedness of New Granada, how payable.

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aggregate of all sums so assumed and paid, and entitled to receive to that extent the payment stipulated and guaranteed under the third article of the Convention referred to in the first section of this act.

Appropriation for expenses.

SEC. 8. *And be it further enacted*, That for the compensation of the officers authorized by the third section, and the contingent expenses of the Commissioner on the part of the United States, and for the compensation and expenses of the umpire under the said Convention, which is required to be defrayed by the United States, and likewise to pay the awards which may be made, according to the provisions of the seventh section of this act, such sums as may be necessary be and they hereby are appropriated, out of any money in the Treasury not otherwise appropriated.

Commissioner to determine the amount of claims of citizens of the United States against Costa Rica.

Post, p. 1135.

SEC. 9. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall appoint a commissioner, whose duty it shall be, conjointly with a commissioner appointed by the Government of Costa Rica, to investigate, adjust, and determine the amount of the claims of citizens of the United States against the Government of Costa Rica, pursuant to the terms of a convention signed at San Jose, on the second day of July, eighteen hundred and sixty.

Pay of commissioner, &c.

SEC. 10. *And be it further enacted*, That the compensation of the commissioner, for whose appointment provision is made by this act, shall be, in full for his services, two thousand five hundred dollars; and the President of the United States shall be and he is hereby authorized to make such provision for the contingent expenses of the said commission on the part of the United States as shall to him appear reasonable and proper.

Regulations for commissioner.

SEC. 11. *And be it further enacted*, That the said commissioner on the part of the United States, in conjunction with the commissioner on the part of Costa Rica, shall be and he is hereby authorized to make all needful rules and regulations for conducting the business of their said commission; such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the provisions of the said convention.

Secretary of State to transmit proper papers to commissioner.

SEC. 12. *And be it further enacted*, That the Secretary of State is hereby authorized and required to transmit to the said commissioner such papers or records relating to the said commission as he may deem proper, or as may be called for by the said commissioners, and at the termination of the commission, all the records, documents, and all other papers which have been brought before the commissioners, or which may be in possession of their secretary, shall be deposited in the Department of State:

Proviso.

Provided, That this section shall not be so construed as to prevent the commissioner on the part of Costa Rica from depositing in the said Department certified copies or duplicates of papers filed on behalf of his Government, instead of originals.

Testimony of unwilling witnesses, how taken.

Post, p. 615.

SEC. 13. *And be it further enacted*, That upon suggestion by any claimant that a witness whose testimony may be deemed important to him refuses or is unwilling to testify in regard to his claim, it shall be competent for said board of commissioners to issue a commission to some suitable person to take the testimony of such witness, and such witness may be compelled to appear and testify before such commissioners in the same manner as is now provided by law in the case of commissions issued from the courts of the United States.

Appropriation for expenses.

SEC. 14. *And be it further enacted*, That for the compensation of the commission authorized by the tenth section, and the contingent expenses of the commission on the part of the United States, and for the compensation and expenses of the umpire under the said convention, which are required to be defrayed by the United States, such sums as may be necessary be and they hereby are appropriated out of any money in the Treasury not otherwise appropriated.

APPROVED, February 20, 1861.