

or persons, except as now authorized by law, shall hereafter make, or cause to be made, or shall utter or pass, or attempt to utter or pass, any coins of gold or silver, or other metals or alloys of metals, intended for the use and purpose of current money, whether in the resemblance of coins of the United States or of foreign countries, or of original design, every person so offending shall, on conviction thereof, be punished by fine not exceeding three thousand dollars, or by imprisonment for a term not exceeding five years, or both, at the discretion of the court, according to the aggravation of the offence.

Penalty for counterfeiting coin of the United States.

APPROVED, June 8, 1864.

CHAP. CXV. — *An Act to provide for the Payment of the second Regiment, third Brigade, Ohio Volunteer Militia, during the Time they were mustered into the Service of the United States.*

June 8, 1864.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second regiment, third brigade, Ohio volunteer militia, mustered into the service of the United States at Cincinnati, Ohio, on the fourth day of September, eighteen hundred and sixty-two, notwithstanding irregularity may have occurred in the manner of their mustering into the service of the United States, be paid for the time the officers and men were in the service, respectively, after being so mustered, not, however, to exceed the period of thirty days.

Payment of 2d Regiment, 3d Brigade, Ohio volunteers.

APPROVED, June 8, 1864.

CHAP. CXVI. — *An Act to provide for the Execution of Treaties between the United States and foreign Nations respecting Consular Jurisdiction over the Crews of Vessels of such foreign Nations in the Waters and Ports of the United States.*

June 11, 1864.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in all cases where it may have been or shall hereafter be stipulated by treaty or convention between the United States and any foreign nation to the effect that the consul-general, consuls, vice-consuls, or consular or commercial agents of the two nations, respectively, shall have exclusive jurisdiction of controversies, difficulties, or disorders arising at sea or in the waters or ports of the one nation, between the master or other officer or officers and any of the crew, or between any of these last themselves, of any ship or vessel belonging to the other nation, such stipulations shall be executed and enforced within the jurisdiction of the United States as hereinafter declared: *Provided,* That before this act shall take effect as to the ships and vessels of any particular nation having such treaty with the United States, the President of the United States shall have been satisfied that similar provisions have been made for the execution of such treaty by the other contracting party, and shall have issued his proclamation to that effect, declaring this act to be in force as to such nation.

Treaty stipulations giving consuls, &c., jurisdiction over controversies between officers of vessels and mariners, &c., how to be carried into effect.

Other contracting party to make similar provisions.

SEC. 2. *And be it further enacted,* That in all cases within the purview of this act the consul-general, consul, or other consular or commercial authority of such foreign nation charged with the appropriate duty in the particular case, may make application to any court of record of the United States, or any judge thereof, or to any commissioner appointed under the laws of the United States, to take bail or affidavits, or for other judicial purposes whatsoever, setting forth that such controversy, difficulty, or disorder has arisen, briefly stating the nature thereof, and when and where the same occurred, and exhibiting a certified copy or extract of the shipping-articles, roll, or other proper paper of the ship or vessel, to the effect that the person in question is of the crew or ship's company of such ship or vessel; and further stating and certifying that such person has withdrawn himself, or is believed to be about to withdraw himself, from the control and discipline of the master and officers of the said ship

Consul, &c., to apply to proper judicial authority.

Application to state what, &c.

Warrant for
arrest to issue.

If person ar-
rested is a citi-
zen, he shall be
discharged.

If not, &c.,
person to be com-
mitted.

Expenses, how
to be paid.

Limit of im-
prisonment.

or vessel, or that he has refused, or is about to refuse, to submit to and obey the lawful jurisdiction of such consular or commercial authority in the premises; and further stating and certifying that, to the best of the knowledge and belief of the officer certifying, such person is not a citizen of the United States, and thereupon such judge, commissioner, or other judicial officer, on inspection of such application, the same being in writing and duly authenticated by the consular or other sufficient official seal, shall issue his warrant for the arrest of the person so complained of, directed to the marshal of the United States for the appropriate district, or in his discretion to any person, being a citizen of the United States, whom he may specially depute for the purpose, requiring such person to be brought before him for examination at a certain time and place. And if, on such examination, it shall be made to appear that the person so arrested is a citizen of the United States, he shall be forthwith discharged from arrest, and shall be left to the ordinary course of law. But if this shall not be made to appear, and such judge, commissioner, or other judicial authority shall find, upon the papers hereinbefore referred to, a sufficient prima facie case that the matter concerns only the internal order and discipline of such foreign ship or vessel, or, whether in its nature civil or criminal, does not *effect* [affect] directly the execution of the laws of the United States, or the rights and duties of any citizen of the United States, he shall forthwith, by his warrant, commit such person to prison, where prisoners under sentence of a court of the United States may be lawfully committed, or to the master or chief officer of such foreign ship or vessel, in his discretion, to be subject to the lawful orders, control, and discipline of the master or chief officer for the time being, of such ship, and to the jurisdiction of the consular or commercial authority of the nation to which such ship or vessel may belong, to the exclusion of any authority or jurisdiction in the premises of the United States or any state thereof: *Provided, nevertheless*, That the expenses of the arrest and the detention of the person so arrested shall be paid by the consul-general, consuls, or vice-consuls: *And provided, further*, That no person shall be detained more than two months after his arrest, but at the end of that time shall be set at liberty and shall not again be arrested for the same cause.

APPROVED, June 11, 1864.

June 11, 1864.

CHAP. CXVII. — *An Act to authorize the Secretary of the Treasury to stipulate for the Release from Attachment or other Process, of Property claimed by the United States, and for other Purposes.*

Attachment in
judicial proceed-
ing of property
owned, &c., by
the United
States, how may
be discharged.

Effect of final
judgment in
such proceedings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any property owned or held by the United States, or in which the United States have or claim an interest, shall, in any judicial proceeding under the laws of any state, district, or territory, be seized, arrested, attached, or held for the security or satisfaction of any claim made against said property, it shall be lawful for the Secretary of the Treasury, in his discretion, to direct the solicitor of the treasury to cause a stipulation to be entered into by the proper district attorney for the discharge of such property from such seizure, arrest, attachment, or proceeding, to the effect that upon such discharge, the person asserting the claim against such property shall become entitled to all the benefits of this act; and in all cases where such stipulation shall be entered into, as aforesaid, and the property shall, in consequence thereof, be discharged as aforesaid, and final judgment shall be given in the court of last resort to which the Secretary of the Treasury may deem proper to cause such proceedings to be carried, affirming the claim for the security or satisfaction of which such proceedings shall have been instituted, and the right of the person asserting the same to enforce it against such property by means of such proceedings, notwithstanding the claims of the United States thereto, such final judg-