

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 territory 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President; and all acts and parts of acts heretofore passed, inconsistent with the provisions of this act, are hereby repealed.

No court to have or take jurisdiction of, &c.

All officers, &c. held prima facie to have been authorized, &c.

Repealing clause.

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.*

March 2, 1867.

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 whenever 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.

The chief justice and associate justices of the Supreme Court of the United States to be allotted by order of court.

New allotments.

SEC. 2. *And be it further enacted,* That the Supreme Court may appoint a marshal for said court, whose compensation shall be three thousand 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 messengers in place of the crier and messengers now employed, with such compensation as is or may be allowed to officers of the House of Representatives 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 provided.

Marshal of the Supreme Court of the United States; his appointment, salary, duties.

Assistant marshals and messengers.

Laws applicable.

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 hundred and forty-eight.*

March 2, 1867.

1848, ch. 42.
Vol. ix. p. 223.

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 received."

The tax upon agencies of insurance companies in Washington, D. C., not to exceed, &c.

Repealing clause.

SEC. 2. *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.

CHAP. CLVIII. — *An Act to establish a Department of Education.*

Department of education established at Washington, D. C. and for what purpose.

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.

Commissioner of education; his appointment, duties, and salary;

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 intrusted 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.

his clerks and their salary;

how appointed and removed.

Annual report of the commissioner.

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.

First report to present a statement of the land grants by Congress to promote education, their management, &c.

Proper offices to be furnished this department.

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.*

In computing the service of any army officer, the time of all actual service is to be taken into account.

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.

This provision to apply to all appointments under act 1866, ch. 299. *Ante*, p. 332.