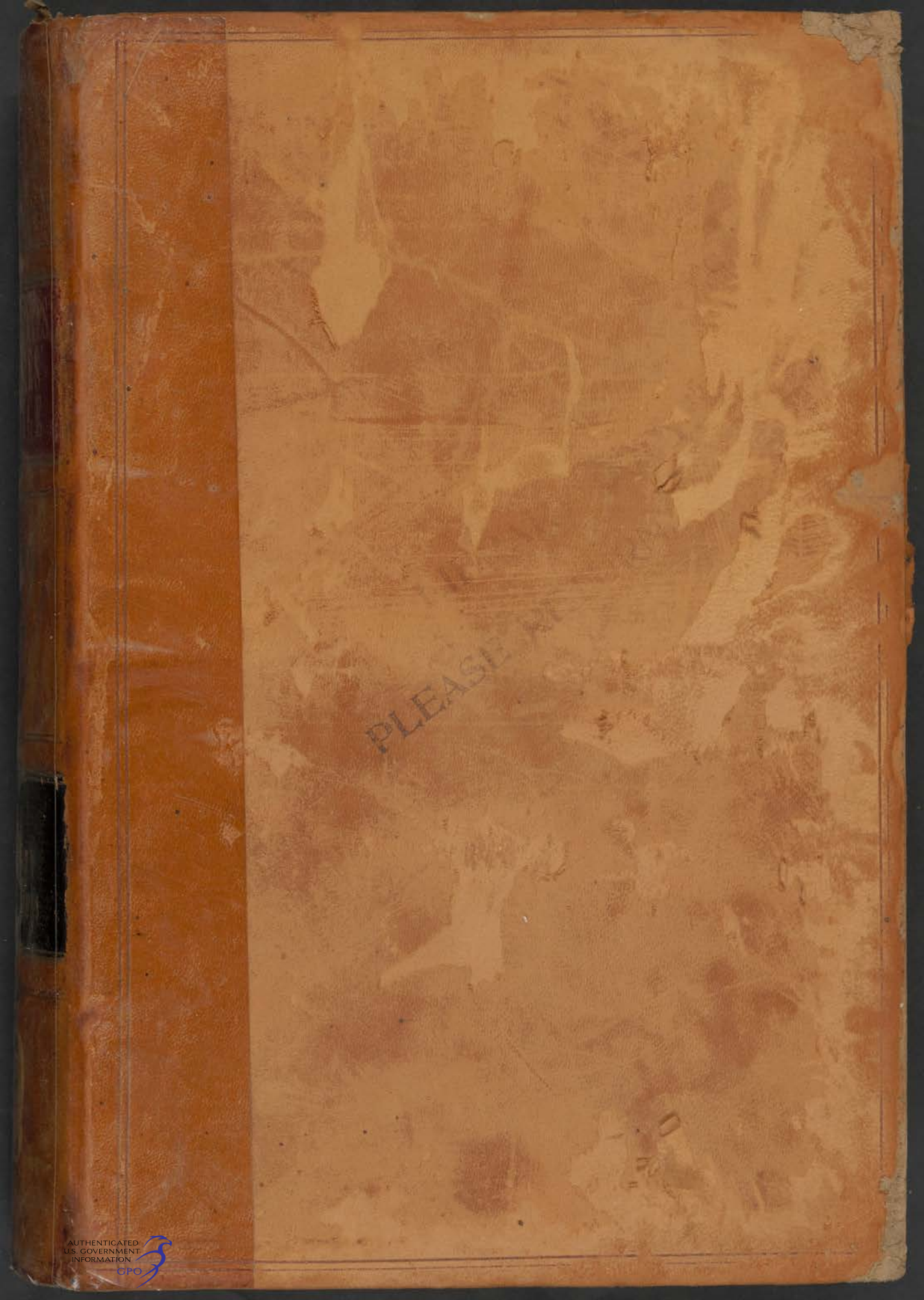


AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

GS 4. 111:



THIS VOLUME IS
PUBLIC PROPERTY.

"The Act of August 8, 1846, for the distribution of Little and Brown's edition of the Laws of the United States contains the following proviso :

" *Provided*, That the copies of the laws thus distributed to public officers shall be held for the use of their respective offices, and as the property of the government ; and that in case of the death, resignation, or dismission from office of either of said officers, or whenever their terms of office shall expire, the said copies of the laws shall be delivered up to their successors in said offices ; and a printed copy of this proviso shall be inserted into each of the volumes thus distributed."

Pensions

U.S. GOV'T DEPOSITORY COPY

ST. JOHN'S UNIVERSITY
GOV'T. DOC. COLL.
LIBRARY

GS 4. 111: 14



IS

P RTY.

"T the distribution of Little and Brown's edition of of the United States contains the following proviso :

" *Provided*, That the copies of the laws thus distributed to public officers shall be held for the use of their respective offices, and as the property of the government ; and that in case of the death, resignation, or dismission from office of either of said officers, or whenever their terms of office shall expire, the said copies of the laws shall be delivered up to their successors in said offices ; and a printed copy of this proviso shall be inserted into each of the volumes thus distributed."

Pensions

U.S. GOV'T DEPOSITORY COPY

ST. JOHN'S UNIVERSITY
GOVT. DOC. COLL.
LIBRARY

U. S. Laws, statutes, etc.

BY AUTHORITY OF CONGRESS.

THE

Statutes at Large, Treaties,

AND

PROCLAMATIONS,

OF THE

UNITED STATES OF AMERICA.

LIBRARY OF CONGRESS

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.

The rights and interest of the United States in the stereotype plates from which this work is printed are hereby recognized, acknowledged, and declared by the publishers, according to the provisions of the joint resolution of Congress, passed March 3, 1845.

VOL. XIV.

BOSTON:
LITTLE, BROWN, AND COMPANY
1868.

4 - DEC 1868
Copy

ADVERTISEMENT.

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 Large, 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 the 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 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." — 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.]

Entered according to Act of Congress, in the year 1868, by
LITTLE, BROWN, AND COMPANY,
in the Clerk's Office of the District Court of the District of Massachusetts.

UNIVERSITY PRESS: WELCH, BIGELOW, & Co.,
CAMBRIDGE.

577803

4 - DEC 20
Copy 1968

LIST

OF THE

PUBLIC ACTS AND RESOLUTIONS

OF CONGRESS,

AND OF THE PROCLAMATIONS,

CONTAINED IN THIS VOLUME.

Acts of the Thirty-ninth Congress of the United States.

STATUTE I. — 1865 – 6.

Page

Jurors in the District of Columbia. 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." December 18, 1865, ch. 1 1

Importation of Cattle prohibited. An act to prevent the spread of foreign diseases among the cattle of the United States. December 18, 1865, ch. 2 1

President's House. An act making appropriation for refurnishing and repairing the President's house. December 19, 1865, ch. 3 2

Assistant Assessors of Internal Revenue. An act authorizing the Secretary of the Treasury to appoint assistant assessors of internal revenue. January 15, 1866, ch. 5 2

Pensions Appropriations. 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. February 7, 1866, ch. 6 2

Registering of Vessels. An act to regulate the registering of vessels. February 10, 1866, ch. 8.. 3

Mary Lincoln. An act granting the franking privilege to Mary Lincoln. February 10, 1866, ch. 9. 3

Clerks in Post-Office Department. An act authorizing an increase of the clerical force in the Post-Office Department. February 16, 1866, ch. 10 3

Importation of Cattle, &c. prohibited. 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. March 6, 1866, ch. 12 3

Lands in San Francisco. An act to quiet the title to certain lands within the corporate limits of the city of San Francisco. March 8, 1866, ch. 13 4

Internal Revenue. 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. March 10, 1866, ch. 15 4

Post-Roads. An act to establish certain post-roads. March 14, 1866, ch. 16 5

Withdrawal of Goods from Public Stores, &c. An act to extend the time for the withdrawal of goods for consumption from public store and bonded warehouse, and for other purposes. March 14, 1866, ch. 17 8

Certain Produce of the Forests of Maine to be free of Duty. An act to further secure American citizens certain privileges under the treaty of Washington. March 16, 1866, ch. 18 9

Court of Claims. An act in relation to the court of claims. March 17, 1866, ch. 19 9

Fireman's Insurance Company. 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, ch. 20 9

National Military and Naval Asylum. 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. March 21, 1866, ch. 21 10

Lands in Missouri. 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. March 21, 1866, ch. 22 12

Forgery of Bonds, Public Records, &c. An act more effectually to provide for the punishment of certain crimes against the United States. April 5, 1866, ch. 24 12

Page

Library of the Smithsonian Institution. An act to provide for the transfer of the custody of the library of the Smithsonian Institute to the Library of Congress. April 5, 1866, ch. 25.. 13

District Courts in Minnesota. 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. April 5, 1866, ch. 26..... 14

Relief of Seamen and others. 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 for other purposes. April 6, 1866, ch. 27 14

Deficiency Appropriations. 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. April 7, 1866, ch. 28 14

Dakota Territory. An act to provide arms and ammunition for the defence of the inhabitants of Dakota Territory. April 7, 1866, ch. 29 26

Civil Rights. An act to protect all persons in the United States in their civil rights, and furnish the means of their vindication. April 9, 1866, ch. 31..... 27

Grant of Lands to Wisconsin. 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. April 10, 1866, ch. 32..... 30

Cascade Railroad Company. An act to grant the right of way to the "Cascade Railroad Company" through a military reserve in Washington Territory. April 10, 1866, ch. 33..... 31

Treasury Notes, &c. may be retired. 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. April 12, 1866, ch. 39..... 31

Pennsylvania. An act to reimburse the State of Pennsylvania for moneys advanced government for war purposes. April 12, 1866, ch. 40 32

Mutual Fire Insurance Company. An act to amend "An act to incorporate the Mutual Fire Insurance Company of the District of Columbia." April 12, 1866, ch. 41 32

Collection Districts. 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. April 13, 1866, ch. 44 32

Navy Appropriation. An act making appropriations for the naval service for the year ending thirtieth June, eighteen hundred and sixty-seven. April 17, 1866, ch. 45..... 33

Missouri. 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. April 17, 1866, ch. 46 38

Liberia. An act to authorize the President of the United States to transfer a gunboat to the government of the republic of Liberia. April 17, 1866, ch. 47 39

Postage. An act to provide that the "soldier's individual memorial" shall be carried through the mails at the usual rate of printed matter. April 17, 1866, ch. 48..... 40

Marine Hospitals and Revenue Cutters. An act to authorize the sale of marine hospitals and of revenue cutters. April 20, 1866, ch 63 40

The "Michigan," "Despatch," and "William K. Muir." An act to issue American registers to the steam vessels "Michigan," "Despatch," and "William K. Muir," and for other purposes. April 25, 1866, ch. 65 40

Public Printing Deficiency Appropriation. An act making appropriations to supply deficiency in the appropriation for the public printing for the fiscal year ending June thirty, eighteen hundred and sixty-six. April 26, 1866, ch. 68 41

Accounts of the Treasurer of the United States. 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. May 2, 1866, ch. 70 41

Duties under Reciprocity Treaty. An act to remit and refund certain duties. May 2, 1866, ch. 71 42

Pay Department of the Navy. An act to provide for the better organization of the pay department of the navy. May 3, 1866, ch. 72 43

Nevada. An act concerning the boundaries of the State of Nevada. May 5, 1866, ch. 73..... 43

Telegraph to Cuba, &c. An act to encourage telegraphic communication between the United States and the Island of Cuba and other West India Islands and the Bahamas. May 5, 1866, ch. 74..... 44

Court of Claims. An act to extend the jurisdiction of the court of claims. May 9, 1866, ch. 75.. 44

Levy Court. An act enlarging the powers of the levy court of the county of Washington, in the District of Columbia. May 9, 1866, ch. 76 45

National Theological Institute. An act to incorporate the National Theological Institute. May 10, 1866, ch. 79..... 45

Orders from Superior Officer to be a Defence in certain Suits. An act to amend an act entitled "An act relating to habeas corpus, and regulating judicial proceedings in certain cases," approved March third, eighteen hundred and sixty-three. May 11, 1866, ch. 80..... 46

Five Cent Pieces. An act to authorize the coinage of five cent pieces. May 16, 1866, ch. 81.... 47

Page

Duty on Live Animals. An act imposing a duty on live animals. May 16, 1866, ch. 82..... 48

Courts in Mississippi. An act to change the place of holding the courts of the United States for the northern district of Mississippi. May 16, 1866, ch. 83..... 48

Vice-Admiral. An act to amend "An act to establish the grade of Vice-Admiral in the United States Navy." May 16, 1866, ch. 84..... 48

Post Office Department Appropriation. An act 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. May 18, 1866, ch. 85..... 48

Kidnapping. An act to prevent and punish kidnapping. May 21, 1866, ch. 86..... 50

Railroad Bridge at Rouse's Point made a Post Route. An act to establish a post route from West Alburgh, Vermont, to Champlain, in the State of New York, and for other purposes. May 21, 1866, ch. 87..... 51

Supreme Court Reports. An act amendatory of "An act to provide for the reports of decisions of the supreme court of the United States." May 21, 1866, ch. 88..... 51

Courts in Virginia. 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. May 22, 1866, ch. 89..... 51

Academy of Music. An act to incorporate the Academy of Music of Washington City. May 24, 1866, ch. 96..... 52

Washington Gas Light Company. An act to amend the charter of the Washington Gas Light Company. May 24, 1866, ch. 97..... 53

Additional Assistant Secretary of the Navy. An act to authorize the appointment of an additional Assistant Secretary of the Navy. May 26, 1866, ch. 100..... 54

Passports for Citizens only. An act to repeal section twenty-three of chapter seventy-nine of the acts of the third session of the thirty-seventh Congress, relating to passports. May 30, 1866, ch. 102..... 54

Writs of Attachment and Garnishment. An act to define more clearly the jurisdiction and powers of the supreme court of the District of Columbia, and for other purposes. June 1, 1866, ch. 103..... 54

Women's Hospital Association. An act to incorporate the Women's Hospital Association of the District of Columbia. June 1, 1866, ch. 104..... 55

Certain Produce of the Forests admitted free. An act to protect American citizens engaged in lumbering on the St. Croix river, in the State of Maine. June 1, 1866, ch. 105..... 56

Pensions. An act supplementary to the several acts relating to pensions. June 6, 1866, ch. 106. 56

Military Academy Appropriation. An act making appropriations for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-seven. June 8, 1866, ch. 110..... 58

Deficiency Appropriation for House of Representatives. 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. June 8, 1866, ch. 111..... 59

Postal Laws. An act to amend the Postal Laws. June 12, 1866, ch, 114..... 59

Appropriation for Fortifications. 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. June 12, 1866, ch. 115..... 61

Lands in St. Louis. An act authorizing documentary evidence of titles to be furnished to the owners of certain lands in the city of St. Louis. June 12, 1866, ch. 116..... 62

Humboldt Canal Company. An act to grant the right of way to the "Humboldt Canal Company" through the public lands of the United States. June 12, 1866, ch. 117..... 64

Disbursement of Public Moneys. An act to regulate and secure the safe keeping of public money intrusted to disbursing officers of the United States. June 14, 1866, ch. 122..... 64

Accounts of Officers having Money for Refugees or Freedmen. An act to provide for the settlement of accounts of certain public officers. June 15, 1866, ch. 123..... 65

Commercial, &c. Communication between the States. An act to facilitate commercial, postal, and military communication among the several States. June 15, 1866, ch. 124..... 66

Pay of Examiners in Patent Office. An act to authorize the commissioner of patents to pay those employed as examiners and assistant examiners the salary fixed by law for the duties performed by them. June 18, 1866, ch. 126..... 66

Homesteads in Alabama, Mississippi, Louisiana, Arkansas, and Florida. An act for the disposal of the public lands for homestead actual settlement in the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida. June 21, 1866. ch. 127..... 66

Reimbursement of West Virginia. An act to reimburse the State of West Virginia for moneys expended for the United States in enrolling, equipping, and paying military forces to aid in suppressing the rebellion. June 21, 1866, ch. 128..... 68

Hydrographic Office. An act to establish a Hydrographic Office in the Navy Department. June 21, 1866, ch. 129..... 69

Howard Institute and House. An act to incorporate the "Howard Institute and Home" of the District of Columbia. June 21, 1866, ch. 130..... 69

Page

Paymasters and Pay Department. 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. June 21, 1866, ch. 131 70

Charles Hunter. An act authorizing the restoration of Commander Charles Hunter to the Navy. June 21, 1866, ch. 132 70

Repair, Preservation, and Completion of Public Works. 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. June 23, 1866, ch. 138 70

Revision and Consolidation of the Statutes. An act to provide for the revision and consolidation of the statute laws of the United States. June 27, 1866, ch. 140 74

Armory and Arsenal at Rock Island. An act making further provisions for the establishment of an armory and arsenal of construction, deposit, and repair, on Rock Island, in the State of Illinois. June 27, 1866, ch. 141 75

Marine Hospitals and Revenue Cutters. An act to amend an act entitled "An act to authorize the sale of marine hospitals and revenue cutters," approved April 20th, 1866. June 27, 1866, ch. 142 76

Fee for First Appeal in the Patent Office. 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. June 27, 1866, ch. 143 76

Land Office in Idaho. An act to establish a land office in the Territory of Idaho. June 27, 1866, ch. 144 77

Washington Territory. An act amendatory of the organic act of Washington Territory. June 29, 1866, ch. 155 77

Surveyor-General in Idaho. An act to create the office of surveyor-general in Idaho Territory. June 29. 1866, ch. 156 77

Public Lands to Michican for Railroad Purposes. 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. July 3, 1866, ch. 158 78

Union Pacific Railway Company. An act to amend an act entitled "An act to amend 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 1, 1862," approved July 2, 1864. July 3, 1866, ch. 159 79

Public Lands to Michigan for a Ship Canal. 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. July 3, 1866, ch. 160 80

Public Lands to Michigan for a Harbor and Ship Canal. An act granting lands to the State of Michigan, to aid in the construction of a harbor and ship canal at Portage Lake, Keewenaw Point, Lake Superior, in said State. July 3, 1866, ch. 161 81

Nitro-Glycerine or Glynoin Oil. An act to regulate the transportation of nitro-glycerine, or glynoin oil, and other substances therein named. July 3, 1866, ch. 162 81

Iowa Volunteers. An act for the relief of the members of the thirty-seventh regiment of Iowa Volunteer Infantry. July 3, 1866, ch. 163 82

Land District in Oregon. An act to create an additional land district in the State of Oregon. July 3, 1866, ch. 164 82

Public Lands to Missouri for Railroad Purposes. 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. July 4, 1866, ch. 165 83

Public Lands in Nevada, Surveyor-General, &c. An act concerning certain lands granted to the State of Nevada. July 4, 1866, ch. 166 85

Public Lands to Oregon for a Military Road. An act granting lands to the State of Oregon, to aid in the construction of a military road from Corvallis to the Acquinna Bay. July 4, 1866, ch. 167 86

Public Lands to Minnesota for Railroad Purposes. 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. July 4, 1866, ch. 168 87

Fort Howard Military Reserve, Wisconsin. An act to provide for the disposal of certain lands therein named. July 4, 1866, ch. 169 88

Public Lands to Oregon for a Military Road. An act granting lands to the State of Oregon, to aid in the construction of a military road from Albany, Oregon, to the eastern boundary of said State. July 5, 1866, ch. 174 89

Ohio Volunteer Militia. 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. July 5, 1866, ch. 175 90

Army Appropriation. 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. July 13, 1866, ch. 176 90

Page

Pilotage. An act relating to pilots and pilot regulations. July 13, 1866, ch. 177 93

Deficiency in Land Grant to Minnesota made up. 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 Saint Paul to Lake Superior," approved May fifth, eighteen hundred and sixty-four. July 13, 1866, ch. 178 93

Admission to Asylum for the Insane. An act to extend to certain persons the privilege of admission, in certain cases, to the United States government asylum for the insane. July 13, 1866, ch. 179 93

Whitehall a Port of Delivery. An act to provide for making the town of Whitehall, New York, a port of delivery. July 13, 1866, ch. 180 94

Three Months' Pay proper to certain Officers. 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. July 13, 1866, ch. 181 94

Public Lands to the Placerville and Sacramento Railroad Company. 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. July 13, 1866, ch. 182 94

Public Lands to Minnesota for Railroad Purposes. An act relating to lands granted to the State of Minnesota to aid in constructing railroads. July 13, 1866, ch. 183 97

Internal Revenue. 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 thirtieth, eighteen hundred and sixty-four, and acts amendatory thereof. July 13, 1866, ch. 184 98

Freedmen's Bureau, &c. 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. July 16, 1866, ch. 200.. 173

Smuggling. An act further to prevent smuggling, and for other purposes. July 18, 1866, ch. 201 178

Post-Roads. An act to establish certain post-roads. July 18, 1866, ch. 202 189

Legislative, Executive, and Judicial Expense Appropriation. 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. July 23, 1866, ch. 208 191

Agricultural Colleges. An act to amend the fifth section of an act 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," approved July 2, 1862, so as to extend the time within which the provisions of said act shall be accepted, and such colleges established. July 23, 1866, ch. 209 208

Supreme Court. An act to fix the number of judges of the supreme court of the United States, and to change certain judicial circuits. July 23, 1866, ch. 210..... 209

Lands in Benicia and Santa Cruz. 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. July 23, 1866, ch. 211 209

Lands to Kansas. An act for a grant of lands to the State of Kansas, to aid in the construction of the Northern Kansas Railroad and Telegraph. July 23, 1866, ch. 212 210

Registering of Vessels. An act to regulate the registering of vessels. July 23, 1866, ch. 213..... 212

Right of Way, &c. to a Railroad in Kansas. An act to authorize the construction of a railroad through certain land of the United States in Kansas. July 23, 1866, ch. 214 213

Metropolitan Police. 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. July 23, 1866, ch. 215 212

Levy Court. An act to give certain powers to the levy court of the county of Washington, in the District of Columbia. July 23, 1866, ch. 216 215

Public Schools. An act relating to public schools in the District of Columbia. July 23, 1866, ch. 217 216

Metropolitan Mining and Manufacturing Company. An act to incorporate the Metropolitan Mining and Manufacturing Company. July 23, 1866, ch. 218 217

Land Titles in California. An act to quiet land titles in California. July 23, 1866, ch. 219 218

Telegraph Lines. 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. July 24, 1866, ch. 230 221

Officers in the Navy. An act to define the number and regulate the appointment of officers in the navy, and for other purposes. July 25, 1866, ch. 231..... 222

Grade of General. An act to revive the grade of general in the United States army. July 25, 1866, ch. 232 223

Consular and Diplomatic Appropriation. An act making appropriations for the consular and diplomatic expenses of the government for the year ending thirtieth June, eighteen hundred and sixty-seven, and for other purposes. July 25, 1866, ch. 233..... 224

Passengers in Steamboats — Steamboat Inspectors. An act further to provide for the safety of the

Page

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. July 25, 1866, ch. 234..... 227

Pensions. An act increasing the pensions of widows and orphans, and for other purposes. July 25, 1866, ch. 235..... 230

Jail. An act authorizing the construction of a jail in and for the District of Columbia. July 25, 1866, ch. 236..... 231

Declaration of Rights. 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. July 25, 1866, ch. 237..... 232

House of Correction. An act to establish in the District of Columbia a house of correction for boys. July 25, 1866, ch. 238..... 232

Soldiers' and Sailors' Union. An act to incorporate "The Soldiers' and Sailors' Union," of Washington, D. C. July 25, 1866, ch. 239..... 235

Marriages and Children of Colored Persons. An act legalizing marriages and for other purposes in the District of Columbia. July 25, 1866, ch. 240..... 236

Lands to Kansas. 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. July 25, 1866, ch. 241..... 236

Public Lands granted for Railroad and Telegraph in California and Oregon. 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. July 25, 1866, ch. 242..... 239

Courts in Georgia. An act to change the place of holding court in the Northern District of Georgia. July 25, 1866, ch. 243..... 242

Grant to A. Sutro. 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. July 25, 1866, ch. 244..... 242

Elections for Senators. An act to regulate the times and manner of holding elections for senators in Congress. July 25, 1866, ch. 245..... 243

Bridges. An act to authorize the construction of certain bridges, and to establish them as post-roads. July 25, 1866, ch. 246..... 244

Lot Number Nine. An act to authorize W. J. Sibley and others, trustees, to sell and convey lot number nine, in square number seventy-six, in the city of Washington. July 25, 1866, ch. 247..... 246

Iowa. An act providing for the appointment of a commission to examine and report upon certain claims of the State of Iowa. July 25, 1866, ch. 248..... 247

Soldiers' and Sailors' Home. An act to incorporate "The National Soldiers' and Sailors' Orphan Home." July 25, 1866, ch. 249..... 247

Alexandria and Washington Railroad. An act to amend "An act to extend the charter of the Alexandria and Washington Railroad," passed March third, eighteen hundred and sixty-three. July 25, 1866, ch. 250..... 248

Baltimore and Ohio Railroad Company. 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. July 25, 1866, ch. 251. 250

Port Townsend made Port of Entry, &c. An act to change the port of entry in Puget's Sound. July 25, 1866, ch. 252..... 250

East Capitol Street and Lincoln Square. An act to grade East Capitol Street and establish Lincoln Square. July 25, 1866, ch. 253..... 251

Government Water Pipes. An act in relation to the unlawful tapping of government water pipes. July 25, 1866, ch. 254..... 251

Calais. An act to authorize the entry and clearance of vessels at the port of Calais, Maine. July 25, 1866, ch. 255..... 251

Right of Way over Public Lands. An act granting the right of way to ditch and canal owners over the public lands, and for other purposes. July 26, 1866, ch. 262..... 251

The Chesapeake Bay, &c. Company. 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. July 26, 1866, ch. 263..... 253

Certificates of Registry, &c. An act authorizing the Secretary of the Treasury to issue certificates of registry, or enrolment and license, to certain vessels. July 26, 1866, ch. 264..... 255

Bonds of the United States. An act to authorize the issue of certain bonds in denominations greater than one thousand dollars. July 26, 1866, ch. 265..... 255

Indian Appropriation. 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. July 26, 1866, ch. 266..... 255

Post-Roads. An act to establish certain post-roads. July 26, 1866, ch. 267..... 280

Clerks of Courts in Washington Territory. An act in relation to the appointment of clerks to the courts of Washington Territory. July 26, 1866, ch. 268..... 288

Page

Weighing, Weighers, and Measurers. An act to provide for and to regulate the weighing of exports, and for other purposes. July 26, 1866, ch. 269 289

Lands to Kansas. An act granting lands to the State of Kansas to aid in the construction of a southern branch of Union Pacific Railway and Telegraph from Fort Riley, Kansas, to Fort Smith, Arkansas. July 26, 1866, ch. 270 289

Washington Temperance Society. An act to incorporate the Washington Temperance Society of the city of Washington, District of Columbia. July 27, 1866, ch. 277 291

Lands for Railroad and Telegraph Purposes. An act granting lands to aid in the construction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacific coast. July 27, 1866, ch. 278 292

General Hospital. An act to incorporate the General Hospital of the District of Columbia. July 27, 1866, ch. 279 299

District Courts in California and Louisiana. An act in relation to the district courts of the United States in the States of California and Louisiana. July 27, 1866, ch. 280 300

Post Office Weights. An act to authorize the use in post offices of weights of the denomination of grams. July 27, 1866, ch. 281 301

License Tax of Wholesale Dealers. An act to authorize the refunding of certain taxes. July 27, 1866, ch. 282 301

Internal Revenue. An act amendatory of section thirteen 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 30, 1864"; approved March 3, 1865. July 27, 1866, ch. 283 301

Appraisement and Appraisers of Imports in New York. 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. July 27, 1866, ch. 284 302

Fire at Portland. An act for the relief of sufferers by fire at Portland. July 27, 1866, ch. 285 ... 304

Sheath Knives. An act to prevent the wearing of sheath knives by American seamen. July 27, 1866, ch. 286 304

Public Printing, and Paper for Public Printing. An act to further regulate the printing of public documents, and the purchase of paper for the public printing. July 27, 1866, ch. 287 305

Removal of Causes from State Courts. An act for the removal of causes in certain cases from State courts. July 27, 1866, ch. 288 306

Nebraska. An act authorizing the reimbursement to the Territory of Nebraska of certain expenses incurred in repelling Indian hostilities. July 27, 1866, ch. 289 307

Custom-House Officers. An act to fix the compensation of certain collectors of customs, and for other purposes. July 28, 1866, ch. 293 308

Clerk of Supreme Court of District of Columbia. An act to prescribe the mode of settling the accounts of the clerk of the supreme court of the District of Columbia. July 28, 1866, ch. 294 309

Wyandotte Indians. An act for the relief of the trustees and stewards of the mission church of the Wyandotte Indians. July 28, 1866, ch. 295 309

Civil Expenses Appropriation. 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. July 28, 1866, ch. 296 310

Deficiencies Appropriations. 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. July 28, 1866, ch. 297 324

Revenue from Imports. An act to protect the revenue, and for other purposes. July 28, 1866, ch. 298 328

Military Peace Establishment. An act to increase and fix the military peace establishment of the United States. July 28, 1866, ch. 299 332

Public Lands to Arkansas and Missouri. An act to revive and extend the provisions of "An 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 9, 1853, and for other purposes. July 28, 1866, ch. 300 338

Metric System. An act to authorize the use of the metric system of weights and measures. July 28, 1866, ch. 301 339

Power to appoint Disbursing Agent where there is no Collector at the Place of Location of any Public Work. 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." July 28, 1866, ch. 302 341

Payment of Rewards offered. An act authorizing the payment of the rewards offered by the President of the United States and the officers of the War Department, in April and May, 1865, for the capture of the assissins of the late President, Abraham Lincoln, and the Secretary of State, Hon. William H. Seward. July 28, 1866, ch. 303 341

District Courts. An act directing a district court to be held at the city of Erie, in the State of Pennsylvania. July 28, 1866, ch. 304 342

Page

Transportation for certain Disabled Soldiers. An act to authorize the Secretary of War to furnish transportation to discharged soldiers to whom artificial limbs are furnished by the government. July 28, 1866, ch. 305 342

Postal Service Appropriation. An act supplemental to the act to appropriate money for the postal services. July 28, 1866, ch. 306 342

Mineral Waters, &c. An act to protect the manufacturers of mineral waters in the District of Columbia, and for other purposes. July 28, 1866, ch. 307 343

Land for Colored Schools. An act donating certain lots in the city of Washington for schools for colored children in the District of Columbia. July 28, 1866, ch. 308 343

Commissioners of Circuit Courts. An act to extend the jurisdiction of commissioners of the circuit courts of the United States. July 28, 1866, ch. 309 343

United States Provisional Court for Louisiana. An act to provide for the suits, judgments, and business of the United States provisional court for the State of Louisiana. July 28, 1866, ch. 310 344

Surveyor-General of Iowa and Wisconsin. An act to remove the office of surveyor-general of the States of Iowa and Wisconsin to Plattsmouth, Nebraska. July 28, 1866, ch. 311 344

Rank and Pay of certain Officers in the Navy, and Pay of certain Clerks. An act to prevent officers in the navy from being deprived of their regular promotion on account of wounds received in battle, and for other purposes. July 28, 1866, ch. 312 344

PUBLIC RESOLUTIONS.

[No. 1.] *Subsistence and Clothing for Destitute Indians.* 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. December 21, 1865 347

[No. 2.] *Bond of Superintendent of Public Printing.* A resolution increasing the bond of the superintendent of public printing. January 12, 1866 347

[No. 3.] *Industrial Exposition, at Paris.* Joint resolution in relation of the Industrial Exposition at Paris, France. January 15, 1866 347

[No. 4.] *Soldiers' Orphans' Home of Iowa.* Joint resolution granting certain public property to the Soldiers' Orphans' Home of Iowa. January 22, 1866 348

[No. 5.] *Military Reserve on St. Clair River.* Joint resolution of 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. January 31, 1866 348

[No. 6.] *Madison's Writings.* A resolution directing the distribution of the writings of James Madison. February 7, 1866 348

[No. 7.] *Burlington and Missouri River Railroad.* A resolution extending the time for the completion of the Burlington and Missouri River Railroad. February 10, 1866 349

[No. 8.] *Thanks to Vice-Admiral Farragut, &c.* 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 fifth August, 1864. February 10, 1866 349

[No. 9.] *Expenses of Committee, &c.* 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. February 10, 1866 349

[No. 10.] *Telegraph.* Joint resolution to encourage and facilitate telegraphic communication between the western and eastern continents. February 26, 1866 350

[No. 11.] *Missing Soldiers—Miss Clara Barton.* A resolution providing for expenses incurred in searching for missing soldiers of the army of the United States, and for the further prosecution of the same. March 10, 1866 350

[No. 12.] *Berkeley and Jefferson Counties.* Joint resolution giving the consent of Congress to the transfer of the counties of Berkeley and Jefferson to the State of West Virginia. March 10, 1866 350

[No. 13.] *National Home for Soldiers', &c. Orphans.* 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. March 10, 1866 351

[No. 14.] *Explosion of the Arsenal at Washington.* Joint resolution for the relief of the sufferers by the late explosion at the United States Arsenal, in the District of Columbia. March 17, 1866 351

[No. 15.] *Ship Art Union.* Joint resolution to change the name of the ship "Art Union" to the name "George M. Barnard." March 22, 1866 351

[No. 16.] *Quarantine.* 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. March 24, 1866 351

[No. 17.] *Laws of the United States.* A resolution in relation to the publication of the laws of the United States. March 31, 1866 352

[No. 18.] *Public Lands at Springfield Armory.* Joint resolution in relation to the public lands appertaining to the armory at Springfield. April 4, 1866 352

Page

[No. 19.] *Commanders Reynolds and Woolsey.* A resolution for the restoration of Commanders William Reynolds and Melancton B. Woolsey, United States navy, to the active list from the reserved list. April 5, 1866 352

[No. 20.] *Bounties to Discharged Soldiers.* Joint resolution giving construction to the law in relation to bounties payable to soldiers discharged for wounds. April 12, 1866 852

[No. 21.] *Burial of Soldiers.* A resolution respecting the burial of soldiers who died in the military service of the United States during the rebellion. April 13, 1866 353

[No. 24.] *Pardons of Foreign Convicts.* A resolution protesting against pardons by foreign governments of persons convicted of infamous offences, on condition of emigration to the United States. April 17, 1866 353

[No. 25.] *Temporary Relief of the Destitute.* A resolution for the temporary relief of destitute people in the District of Columbia. April 17, 1866 353

[No. 26.] *Managers of National Asylum, &c.* Joint resolution appointing managers for the National Asylum for Disabled Volunteer Soldiers. April 21, 1866 353

[No. 27.] *Thanks to Major-General Hancock.* Joint resolution expressive of the thanks of Congress to Major-General Winfield S. Hancock. April 21, 1866 354

[No. 29.] *Transfer of Funds of Post Office Department.* 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. April 25, 1866 354

[No. 31.] *Appropriation for Expenses of Collecting Revenue from Customs.* A resolution making appropriations for the expenses of collecting the revenue from customs. May 3, 1866 354

[No. 32.] *Gratitude to Officers, Soldiers, and Seamen.* A resolution expressive of the gratitude of the nation to the officers, soldiers, and seamen of the United States. May 3, 1866 354

[No. 34.] *Union Pacific Railway.* A resolution extending the time for the completion of the Union Pacific Railway, eastern division. May 7, 1866 355

[No. 35.] *Paraffine Oil, Crude Petroleum.* Joint resolution to provide for the exemption of crude petroleum from internal tax or duty, and for other purposes. May 9, 1866 355

[No. 37.] *Emperor of Russia.* Joint resolution relative to the attempted assassination of the Emperor of Russia. May 16, 1866 355

[No. 38.] *Courts and Post Office in New York City.* Joint resolution relative to the courts and post office of New York city. May 16, 1866 356

[No. 39.] *Fair for Soldiers' and Sailors' Orphan Home.* A resolution authorizing the Secretary of War to grant the use of certain lumber for the fair for the Soldiers' and Sailors' Orphan Home. May 16, 1866 356

[No. 40.] *Western Pacific Railroad.* A resolution to extend the time for the construction of the first section of the Western Pacific Railroad. May 21, 1866 356

[No, 41.] *Medals for Veteran Soldiers.* A resolution to authorize certain medals to be distributed to veteran soldiers free of postage. May 26, 1866 356

[No. 42.] *Quarantine and Health Laws.* Joint resolution respecting quarantine and health laws. May 26, 1866 357

[No. 43.] *Plants of Frederick Pech.* A resolution providing for the acceptance of a collection of plants tendered to the United States by Frederick Pech. May 26, 1866 357

[No. 44.] *Fresh-Water Basin for Iron-clad Vessels.* 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. June 1, 1866 357

[No. 45.] *Letter-Carriers in San Francisco.* Joint resolution authorizing [the] Postmaster-General to pay additional salary to letter-carriers in San Francisco. June 6, 1866 357

[No. 46.] *Bounties to Colored Soldiers.* A resolution respecting bounties to colored soldiers, and the pensions, bounties, and allowances to their heirs. June 15, 1866 357

[No. 47.] *Treaties with Indian Tribes.* A resolution making an appropriation to enable the President to negotiate treaties with certain Indian tribes. June 15, 1866 358

[No. 48.] *Amendment to the Constitution.* Joint resolution proposing an amendment to the constitution of the United States. June 16, 1866 358

[No. 49.] *Military Academy.* Joint resolution relative to appointments to the Military Academy of the United States. June 16, 1866 359

[No. 50.] *Berkeley and Jefferson Counties, West Virginia.* 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." June 18, 1866 360

[No. 51.] *Potomac Bridge.* Joint resolution making an appropriation for the repair of the Potomac bridge. June 18, 1866 360

[No. 52.] *Bounty to Enlisted Indians.* A resolution to provide for the payment of bounty to certain Indian regiments. June 18, 1866 360

[No. 53.] *Railroads in Wisconsin.* 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." June 21, 1866 360

Page

[No. 55.] *Richard L. Law.* A resolution for the restoration of Lieutenant-Commander Richard L. Law, United States navy, to the active list from the reserved list. June 22, 1866 361

[No. 57.] *American State Papers.* Joint resolution to authorize the distribution of surplus copies of the American state papers in the custody of the Secretary of the Interior. June 23, 1866 361

[No. 58.] *Vermont.* 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. June 23, 1866 361

[No. 62.] *Railroad Bridge at Cleveland, Ohio.* A resolution for the construction of a railroad bridge across the Cuyahoga River, over and upon the government piers at Cleveland, Ohio. July 3, 1866 362

[No. 63.] *Buildings for Department of State.* A resolution to authorize the hiring of a building or buildings for the temporary accommodation of the Department of State. July 3, 1866 362

[No. 66.] *Universal Exhibition at Paris.* 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. July 5, 1866 362

[No. 67.] *Bounty.* Joint resolution declaratory of the law of bounty. July 13, 1866 363

[No. 69.] *Sufferers by the Fire at Portland, Maine.* 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. July 14, 1866 364

[No. 73.] *Tennessee.* Joint resolution restoring Tennessee to her relations to the Union. July 24, 1866 364

[No. 74.] *Rations of certain Prisoners of War.* Joint resolution in regard to rations of Union soldiers held as prisoners of war. July 25, 1866 364

[No. 75.] *Dismal Swamp Canal.* Joint resolution in reference to the Dismal Swamp Canal Company. July 25, 1866 365

[No. 76.] *Watchmen in Smithsonian Grounds.* Joint resolution authorizing the commissioner of public buildings to employ three additional watchmen in the Smithsonian grounds. July 25, 1866 365

[No. 77.] *James L. Petigru.* A resolution to authorize the purchase, for the library of Congress, of the law library of James L. Petigru, of South Carolina. July 25, 1866 365

[No. 79.] *Rescue of the Passengers, &c. of the wrecked Steamship San Francisco.* 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. July 26, 1866 365

[No. 80.] *United States Exploring Expedition.* A resolution to authorize the use of certain plates of the United States Exploring Expedition by the Navy Department. July 26, 1866 366

[No. 81.] *Illinois Soldiers' College and Military Academy.* A resolution for the benefit of the Illinois Soldiers' College and Military Academy. July 26, 1866 366

[No. 82.] *Nevada Territory.* A resolution authorizing the payment of certain claims against the late Territory of Nevada. July 26, 1866 366

[No. 83.] *Customs Laws.* A resolution to provide for codifying the laws relating to the customs. July 26, 1866 367

[No. 84.] *Massachusetts.* A resolution providing for the examination of the accounts of the State of Massachusetts, for moneys expended during the war for coast defence. July 26, 1866 367

[No. 85.] *Union Pacific Railroad Company.* A resolution granting the right of way through military reserves to the Union Pacific Railroad Company and its branches. July 26, 1866 367

[No. 86.] *Bounties and Pensions of Colored Soldiers.* Joint resolution amendatory of a joint resolution entitled "A resolution respecting bounties of colored soldiers, and the pensions, bounties, and allowances to their heirs," approved June 15, 1866. July 26, 1866 367

[No. 87.] *Pay, &c. of certain Army Officers.* Joint resolution for the relief of certain officers of the army. July 26, 1866 368

[No. 90.] *Circuit Courts.* A resolution to change the place of holding the terms or the circuit court for the District of West Virginia. July 27, 1866 369

[No. 91.] *Official History of the Rebellion.* A resolution to provide for the publication of the official history of the rebellion. July 27, 1866 369

[No. 92.] *The Fire at Portland, Maine.* A resolution for the temporary relief of the sufferers by the late fire in Portland, in the State of Maine. July 27, 1866 369

[No. 93.] *Weights and Measures of the Metric System.* Joint resolution to enable the Secretary of the Treasury to furnish to each State one set of the standard weights and measures of the metric system. July 27, 1866 369

[No. 96.] *Use of Soldiers' and Sailors' Orphan Fair Building in Washington.* Joint resolution in relation to the use of the Soldiers' and Sailors Orphan Fair Building in Washington. July 28, 1866 370

[No. 97.] *Chippewa, Ottawa, and Pottawatomie Indians.* Joint resolution for the relief of certain Chippewa, Ottawa, and Pottawatomie Indians. July 28, 1866 370

Page

[No. 98.] *Miss Vinnie Ream.* Joint resolution authorizing a contract with Vinnie Ream for a statue of Abraham Lincoln. July 28, 1866 370

[No. 99.] *Loyal Citizens, Tennessee.* Joint resolution to extend the provisions of the act of July fourth, eighteen hundred and sixty-four, limiting the jurisdiction of the court of claims to the loyal citizens of Tennessee. July 28, 1866 370

[No. 100.] *Certain Certificates to go free through the Mails to Soldiers of New Jersey.* Joint resolution authorizing the transmission through the mails, free of postage, of certain certificates, by the adjutant-general of New Jersey. July 28, 1866 371

[No. 101.] *Territory of Colorado.* 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. July 28, 1866 371

[No. 102.] *Special Income Tax.* Joint resolution to prevent the further enforcement of the joint resolution (No. 77), 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. July 28, 1866 371

STATUTE II. — 1866 - 67.

Appropriations and Deficiency Appropriations. 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. December 20, 1866, ch. 4 373

Land Grant to Oregon. 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." December 26, 1866, ch. 5 374

The Elective Franchise in the District of Columbia. An act to regulate the elective franchise in the District of Columbia. January 8, 1867, ch. 6 375

Payment to Persons for Services of Colored Volunteers, &c. suspended. 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. January 14, 1867, ch. 7 376

Amnesty and Pardon, Power of the President to proclaim, repealed. 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. January 21, ch. 8 377

Penitentiaries in the Territories. 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. January 22, 1867, ch. 9 377

Meetings of Congress. An act to fix the times for the regular meetings of Congress. January 22, 1867, ch. 10 378

Pay of Route Agents. An act in regard to the compensation of route agents in the Post-Office Department. January 22, 1867, ch. 11 378

National Safe Deposit Company. An act to incorporate the National Safe Deposit Company of Washington, in the District of Columbia. January 22, 1867, ch. 12 378

Elective Franchise in the Territories. An act to regulate the elective franchise in the Territories of the United States. January 25, ch. 15 379

Washington County Horse Railroad Company. An act to incorporate the Washington County Horse Railroad Company in the District of Columbia. January 31, 1867, ch. 16 380

First Congregational Society. An act to incorporate the First Congregational Society of Washington. January 31, 1867, ch. 17 382

Public Securities and Currency, Crimes against the. An act to punish certain crimes in relation to the public securities and currency, and for other purposes. February 5, 1867, ch. 26 383

Habeas Corpus and certain Judicial Proceedings. An act amendatory of "An act to amend an act entitled 'An act relating to habeas corpus and regulating judicial proceedings,'" approved May eleventh, eighteen hundred and sixty-six. February 5, 1867, ch. 27 385

Judicial Proceedings. Habeas Corpus. Writs of Error. An act to amend "An act to establish the judicial courts of the United States," approved September twenty-fourth, seventeen hundred and eighty-nine. February 5, 1867, ch. 28 385

Baltimore and Potomac Railroad. 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. February 5, 1867, ch. 29 387

Page

Property Exempt from Attachment. An act exempting certain property of debtors in the District of Columbia from levy, attachment, or sale on execution. February 5, 1867, ch. 30..... 389

Illegal Voting. An act to punish illegal voting in the District of Columbia, and for other purposes. February 5, 1867, ch. 31..... 390

Pensions. An act to provide for the payment of pensions. February 5, 1867, ch. 32..... 391

Smithsonian Institution. 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. February 8, 1867, ch. 34..... 391

Nebraska. An act for the admission of the State of Nebraska into the Union. February 9, 1867, ch. 36..... 391

Deficiency Appropriation. 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. February 12, 1867, ch. 37..... 393

Quartermaster-Sergeant of Engineers. An act to fix the pay of the quartermaster-sergeant of the battalion of engineers. February 12, 1867, ch. 38..... 393

Post-Office Appropriation. 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. February 18, 1867, ch. 41..... 393

Smuggling. Saving of Proceedings pending under previous Acts. An act supplementary to an act to prevent smuggling and for other purposes, approved July eighteen, eighteen hundred and sixty-six. February 18, 1867, ch. 42..... 394

Copyrights. An act amendatory of the several acts respecting copyrights. February 18, 1867, ch. 43..... 395

Signal Corps. Prize Money. An act to authorize the payment of prize money to certain officers and enlisted men of the signal corps of the army. February 18, 1867, ch. 44..... 395

Allegheny Arsenal. An act to authorize the purchase of certain lots of ground adjoining the Allegheny arsenal at Pittsburg, Pennsylvania. February 18, 1867, ch. 45..... 395

League Island. Navy Yard at Philadelphia. 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. February 18, 1867, ch. 46..... 396

Foundry (Methodist Episcopal) Church. 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. February 18, 1867, ch. 47..... 396

Fire Department, Washington, D. C. An act concerning the fire department of Washington city. February 18, 1867, ch. 48..... 397

Clerk of the House of Representatives. 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. February 21, 1867, ch. 56..... 397

Court of Claims. 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 quartermaster's stores and subsistence supplies furnished to the army of the United States." February 21, 1867, ch. 57..... 397

Pensions Appropriations. 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. February 22, 1867, ch. 58..... 398

Congressional Printer. An act providing for the election of a Congressional printer. February 22, 1867, ch. 59..... 398

Circuit Courts in Rhode Island. An act to alter the places of holding the circuit courts of the United States for the Rhode Island district. February 22, 1867, ch. 60..... 399

National Cemeteries. An act to establish and protect national cemeteries. February 22, 1867, ch. 61..... 399

National Soldiers' and Sailors' Orphan Home. An act to amend an act entitled "An act to incorporate the National Soldiers' and Sailors' Orphan Home," approved July twenty-fifth, eighteen hundred and sixty-six. February 22, 1867, ch. 62..... 401

Justices of the Peace in the District of Columbia. An act to regulate proceedings before justices of the peace in the District of Columbia, and for other purposes. February 22, 1867, ch. 63..... 401

Judicial Proceedings in the District of Columbia. An act to amend the law of the District of Columbia in relation to judicial proceedings therein. February 22, 1867, ch. 64..... 403

Punishment of certain Crimes in the District of Columbia. An act providing for the punishment of certain crimes therein named in the District of Columbia, and for other purposes. February 22, 1867, ch. 65..... 406

Joseph P. Fyffe. An act to restore Lieutenant Joseph P. Fyffe to his grade in active service of the navy. February 22, 1867, ch. 66..... 408

Bailiffs and Criers. An act fixing the compensation for the bailiffs and criers of the courts of the District of Columbia. February 22, 1867, ch. 67..... 408

Page

Submerged Tubular Bridge across the Mississippi. An act to authorize the construction of a submerged tubular bridge across the Mississippi river at the city of Saint Louis. February 25, 1867, ch. 76 408

Land Grant to Oregon. 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. February 25, 1867, ch. 77 409

Smuggling. 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. February 25, 1867, ch. 78 410

Judge Advocates in the Army. An act to amend section twelve, chapter two hundred and ninety-nine, of the laws of the first session of the thirty-ninth Congress. February 25, 1867, ch. 79 410

Right of Way. An act to amend an act granting the right of way over the military reserve at Fort Gratiot, Michigan. February 25, 1867, ch. 80 410

Collection Districts in Maryland and Virginia. An act to change certain collection districts in Maryland and Virginia. February 25, 1867, ch. 81 410

Collection Districts in North Carolina. An act relative to collection districts in North Carolina. February 25, 1867, ch. 82 411

Passengers on Steam Vessels. 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 twenty-five, eighteen hundred and sixty-six. February 25, 1867, ch. 83 411

Clinton Bridge declared a Post-Route. An act declaring Clinton Bridge, across the Mississippi river, at Clinton, in the State of Iowa, a post-route. February 27, 1867, ch. 98 412

Consular and Diplomatic Appropriation. 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. February 28, 1867, ch. 99 412

Military Academy Appropriation. 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. February 28, 1867, ch. 100 415

Revenue Cutter Service. An act to fix the compensation of the officers of the revenue cutter service, and for other purposes. February 28, 1867, ch. 101 416

Drafted Men. An act for the relief of certain drafted men. February 28, 1867, ch. 102 417

Port of Camden. An act relative to the port of Camden, New Jersey. February 28, 1867, ch. 103. 417

Land Titles in California. An act to quiet title to land in the towns of Santa Clara and Petaluma, in the State of California. March 1, 1867, ch. 143 418

Public Works Appropriation. 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. March 2, 1867, ch. 144 418

Pay of Army Officers. An act to provide for a temporary increase of the pay of officers in the army of the United States, and for other purposes. March 2, 1867, ch. 145 422

Deductions from Sentences of Convicts. An act in relation to persons imprisoned under sentence for offences against the laws of the United States. March 2, 1867, ch. 146 424

Contractors for Steam Vessels of War, &c. An act for the relief of certain contractors for the construction of vessels of war and steam machinery. March 2, 1867, ch. 147 424

Public Lands to Michigan for Railroad Purposes. An act to amend an 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. March 2, 1867, ch. 148 425

Lighthouses. An act to authorize the building of lighthouses therein mentioned, and for other purposes. March 2, 1867, ch. 149 425

Montana Territory. 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. March 2, 1867, ch. 150 426

Idaho Territory. An act to amend an act entitled "An act to provide a temporary government for the Territory of Idaho," approved March three, eighteen hundred and sixty-three. March 2, 1867, ch. 151 427

Jail in the District of Columbia. An act to amend an 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. March 2, 1867, ch. 152 428

Government of the Rebel States. An act to provide for the more efficient government of the rebel States. March 2, 1867, ch. 153 428

Tenure of Civil Offices. An act regulating the tenure of certain civil offices. March 2, 1867, ch. 154 430

Proclamations, &c. of the President declared Valid. 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. March 2, 1867 ch. 155 432

Page

Allotment of Judges of the Supreme Court of the United States, Marshal. 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, ch. 156 433

Charter of City of Washington Amended. 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, ch. 157 433

Department of Education. An act to establish a department of education. March 2, 1867, ch. 158 434

Volunteers, Rights of. An act declaring and fixing the rights of volunteers as a part of the army. March 2, 1867, ch. 159 434

Alexandria, Washington, and Georgetown Railroad Company. An act to grant certain privileges to the Alexandria, Washington, and Georgetown Railroad Company, in the District of Columbia. March 2, 1867, ch. 160 435

Limited Partnerships. An act authorizing limited partnerships in the District of Columbia. March 2, 1867, ch. 161 435

Howard University. An act to incorporate The Howard University in the District of Columbia. March 2, 1867, ch. 162 438

Treasury Department. Signing of Warrants. An act supplemental to "An act to establish the Treasury Department," approved the second of September, seventeen hundred and eighty-nine. March 2, 1867, ch. 163 439

National Theological Institute. 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. March 2, 1867, ch. 164 440

Metropolitan Railroad Company. An act extending the time for the completion of certain street railways. March 2, 1867, ch. 165 440

Legislative, Executive, and Judicial Expenses Appropriation. 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. March 2, 1867, ch. 166 440

Civil Expenses Appropriation. 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. March 2, 1867, ch. 167 457

Appropriations and Deficiency Appropriations. 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. March 2, 1867, ch. 168 468

Internal Revenue. An act to amend existing laws relating to internal revenue, and for other purposes. March 2, 1867, ch. 169 471

Army Appropriation. 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. March 2, 1867, ch. 170 485

Fortifications and Works of Defence, Appropriations for. An act making appropriations for the construction, preservation, and repairs of certain fortifications and other works of defence for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight. March 2, 1867, ch. 171 487

Navy Appropriation. An act making appropriations for the naval service for the year ending thirtieth June, eighteen hundred and sixty-eight. March 2, 1867, ch. 172 489

Indian Appropriation. 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. March 2, 1867, ch. 173 492

Navy. An act to amend certain acts in relation to the navy. March 2, 1867, ch. 174 515

Brevets in the Army. An act relating to brevets in the army of the United States. March 2, 1867, ch. 175 517

Bankruptcy Act. An act to establish a uniform system of bankruptcy through the United States. March 2, 1867, ch. 176 517

Public Lands, Inhabitants of Cities and Towns. An act for the relief of the inhabitants of cities and towns upon the public lands. March 2, 1867, ch. 177 541

Duties on Imports at the Port of Albany. An act allowing the duties on foreign merchandise imported into the port of Albany to be secured and paid at that place. March 2, 1867, ch. 178 542

Arizona and Montana, Land Offices in. Surveyor-General. An act to create the office of surveyor-general in the Territory of Montana, and establish a land office in the Territories of Montana and Arizona. March 2, 1867, ch. 179 542

Imprisonment for Debt. An act supplementary to the several acts of Congress abolishing imprisonment for debt. March 2, 1867, ch. 180 543

The Iron-Clad Onondaga. An act authorizing the Secretary of the Navy to transfer the United States iron-clad "Onondaga" to George Quintard, of New York. March 2, 1867, ch 181. 543

Page

Ocean Mail Steamship Service with the Hawaiian Islands. An act to authorize the establishment of ocean mail steamship service between the United States and the Hawaiian Islands. March 2, 1867, ch. 182..... 543

Fire Department, Washington, D. C. An act to amend an act entitled "An act concerning the fire department of Washington city," approved February eighteen, eighteen hundred and sixty-seven. March 2, 1867, ch. 183..... 544

Private Land Claims in Florida, Louisiana, and Missouri. An act to amend the provisions of an act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes." March 2, 1867, ch. 184..... 544

Appeals and Writs of Error. An act relating to appeals and writs of error to the Supreme Court. March 2, 1867, ch. 185..... 545

Public Fund in Custody of Freedmen's Bureau. An act to regulate the disposition of an irregular fund in the custody of the freedmen's bureau. March 2, 1867, ch. 186..... 545

Peonage Abolished. An act to abolish and forever prohibit the system of peonage in the Territory of New Mexico and other parts of the United States. March 2, 1867, ch. 187..... 546

Fines, Penalties, and Forfeitures under Customs Laws. 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. March 2, 1867, ch. 188..... 546

Land Grant for Railroads in California. An act granting lands to aid in the construction of a railroad from the city of Stockton to the town of Copperopolis, in the State of California. March 2, 1867, ch. 189..... 548

Young Men's Christian Association. An act to incorporate the joint stock company of the Young Men's Christian Association of Washington. March 2, 1867, ch. 190..... 550

Post-Roads. An act to establish certain post-roads. March 2, 1867, ch. 191..... 551

National Capitol Insurance Company. An act to incorporate the National Capitol Insurance Company. March 2, 1867, ch. 192..... 556

Crimes. An act to define and punish certain crimes therein named. March 2, 1867, ch. 193.... 557

Compound-Interest Notes. An act to provide ways and means for the payment of compound-interest notes. March 2, 1867, ch. 194..... 558

Washington, D. C. An act to pay and discharge certain debts and expenditures to the corporation of the city of Washington. March 2, 1867, ch. 195..... 558

Removal of Cases from State Courts. An act to amend an act entitled "An act for the removal of causes in certain cases from State courts," approved July twenty-seven, eighteen hundred and sixty-six. March 2, 1867, ch. 196..... 558

Imports. Duties on Wool, &c. An act to provide increased revenue from imported wool, and for other purposes. March 2, 1867, ch. 197..... 559

PUBLIC RESOLUTIONS.

[No. 1.] *National Asylum for Disabled Volunteers.* Joint resolution to appoint two managers for the National Asylum for Disabled Volunteer Soldiers, to fill certain vacancies. December 7, 1866..... 563

[No. 3.] *Paris Exposition.* A resolution to provide for the exhibition of the cereal productions of the United States at the Paris exposition, in April next. January 11, 1867..... 563

[No. 4.] *Medals to honorably discharged Soldiers.* Joint resolution authorizing certain medals to be distributed to honorably discharged soldiers, free of postage. January 14, 1867..... 563

[No. 5.] *Post-Office and United States Courts in the City of New York.* Joint resolution to procure a site for a building to accommodate the post-office and United States courts in New York city. January 22, 1867..... 563

[No. 6.] *Joint Select Committee on Retrenchment.* A resolution appropriating money to defray the expenses of the joint select committee on retrenchment. January 22, 1867..... 564

[No. 7.] *National Asylum for disabled Volunteers.* Joint resolution authorizing the Secretary of War to transfer certain property to the National Asylum for Disabled Volunteers. January 29, 1867..... 564

[No. 8.] *The Steamship Scotland.* A resolution to provide for the removal of the wreck of the steamship Scotland. January 29, 1867..... 564

[No. 11.] *Internal Revenue.* Joint resolution to amend existing laws relating to internal revenue. February 5, 1867..... 565

[No. 12.] *Kentucky Militia.* A resolution providing for the payment of certain Kentucky militia forces. February 8, 1867..... 565

[No. 14. *Alcohol in Bond.* A resolution to provide, in certain cases, for the removal of alcohol from bonded warehouses free from internal tax. February 18, 1867..... 565

[No. 15.] *Ocean Mail Service.* A resolution in relation to ocean mail service between San Francisco, in California, and Portland, in Oregon. February 18, 1867..... 566

[No. 16.] *Pensions.* Joint resolution in relation to the pensions of widows of revolutionary soldiers. February 18, 1867..... 566

[No. 17.] *David's Island.* Joint resolution for the purchase of David's Island, New York harbor. February 18, 1867..... 566

Page

[No. 21.] *Codifying Customs Laws.* 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. February 22, 1867 567

[No. 22.] *Lieutenant-Commander S. L. Breese.* Joint resolution for the restoration of Lieutenant-Commander S. L. Breese, U. S. navy, to the active list from the retired list. February 22, 1867 567

[No. 23.] *Supplies for the suffering People of the Southern States.* Joint resolution authorizing the employment of a public vessel for the transportation of provisions to the people of the Southern States. February 22, 1867 567

[No. 26.] *Ship Canal across the Isthmus of Darien.* A resolution to extend aid and facilities to citizens of the United States engaged in the survey of a route for a ship canal across the Isthmus of Darien. February 25, 1867 567

[No. 27.] *The Yacht "Mayflower" and Steam Yacht "Glance."* 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 "Silvie," and to issue an American register to the steam yacht "Glance." February 25, 1867 567

[No. 28.] *Quota of the Direct Tax for West Virginia.* 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. February 25, 1867 568

[No. 30.] *Additional Compensation to certain Employees in the Civil Service of the Government.* Joint resolution giving additional compensation to certain employees in the civil service of the government at Washington. February 28, 1867 569

[No. 31.] *Agricultural College in Tennessee.* Joint resolution to extend the provisions of the act in regard to agricultural colleges, to the State of Tennessee. February 28, 1867 569

[No. 32.] *Quarantine at New York.* Joint resolution to extend the time for the use of certain vessels for quarantine purposes at the port of New York. February 28, 1867 569

[No. 33.] *Ridgway's Battery.* Joint resolution authorizing the Secretary of the Navy to grant the use of guns for trial of Ridgway's battery. February 28, 1867 570

[No. 42.] *Payment of certain Claims.* 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. March 1, 1867 570

[No. 44.] *Appendix to Diplomatic Correspondence for* 1865. A resolution for printing additional copies of the appendix to the diplomatic correspondence of eighteen hundred and sixty-five. March 2, 1867 570

[No. 45.] *Equestrian Statue to Lieutenant-General Scott.* Joint resolution for the erection of an equestrian statue to the memory of Brevet Lieutenant-General Winfield Scott. March 2, 1867 571

[No. 46.] *Payments prohibited to certain Persons.* 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. March 2, 1867 571

[No. 47.] *Duties on Imports.* Joint resolution to amend section five of an act entitled "An act to increase duties on imports, and for other purposes," approved June thirtieth, one thousand eight hundred and sixty-four. March 2, 1867 571

[No. 48.] *Accounts of Disbursing Officers.* A resolution to facilitate the settlement of accounts of disbursing officers. March 2, 1867 571

[No. 49.] *National Banking Associations.* A resolution in relation to national banking associations. March 2, 1867 572

[No. 50.] *Court of Claims.* 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 quartermasters' stores and subsistence supplies furnished to the army of the United States," approved July fourth, eighteen hundred and sixty-four. March 2, 1867 572

[No. 51.] *Ship Canal through the Isthmus of Darien.* A resolution concerning the right of way for the survey and construction of an interoceanic ship canal through the Isthmus of Darien. March 2, 1867 572

[No. 52.] *Acknowledgment of Resolutions of the Chambers, &c. of Brazil.* A resolution thanking the Chambers of Senators and Deputies of Brazil, for their resolutions of sorrow and sympathy on the death of President Lincoln. March 2, 1867 572

[No. 53.] *Post-Office and Sub-Treasury at Boston.* A resolution relative to the post-office and sub-treasury of the city of Boston. March 2, 1867 573

[No. 54.] *Arsenal at Rock Island.* Joint resolution to enable the Secretary of War to carry out an agreement in relation to water power for the arsenal at Rock Island. March 2, 1867 .. 573

[No. 55.] *Exchange of Public Documents.* A resolution to provide for the exchange of certain public documents. March 2, 1867 573

[No. 56.] *Military Reservation of Fort Riley.* Joint resolution for the reduction of the military reservation of Fort Riley, and to grant land for bridge purposes to the State of Kansas. March 2, 1867 573

Page

[No. 57.] *Thanks of Congress to Cyrus W. Field.* A resolution presenting the thanks of Congress to Cyrus W. Field. March 2, 1867..... 574

[No. 58.] *Bridges across the Potomac.* Joint resolution instructing the Secretary of the Interior to order a survey for a bridge or bridges across the Potomac. March 2, 1867..... 574

[No. 59.] *Gold Chronometer to Captain James G. Smith.* 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. Fitler." March 2, 1867..... 575

[No. 60.] *Jail in the District of Columbia.* Joint resolution in relation to the erection of a jail in the District of Columbia. March 2, 1867..... 575

LIST

OF THE

PRIVATE ACTS AND RESOLUTIONS

OF CONGRESS

CONTAINED IN THIS VOLUME.

Acts of the Thirty-ninth Congress of the United States.

STATUTE I. — 1865 - 6.

Page

Mary Lincoln. An act for the relief of Mrs. Mary Lincoln, widow of the late President of the United States. December 21, 1865, ch. 4 577

Charles F. Anderson. An act for the relief of Charles F. Anderson. February 7, 1866, ch. 7 577

Charlotte Bence. An act for the relief of Charlotte Bence, widow of Philip H. Bence, late captain of company F, thirtieth regiment Iowa volunteer infantry. February 17, 1866, ch. 11 577

James Bawdin. An act for the relief of the heirs of James Bawdin. March 8, 1866, ch. 14 578

Robert Henne. An act for the relief of Robert Henne. March 22, 1866, ch. 23 578

John W. Campbell. An act for the benefit of John W. Campbell. April 7, 1866, ch. 30 578

J. B. Rittenhouse. An act for the relief of J. B. Rittenhouse, fleet-paymaster of the Pacific squadron. April 10, 1866, ch. 34 578

Sarah Fitzgibbon. An act granting a pension to Sarah Fitzgibbon. April 10, 1866, ch. 35 579

F. A. Patterson. An act for the relief of F. A. Patterson, late captain of the third Virginia cavalry. April 10, 1866, ch. 36 579

Jane W. Nethaway. An act for the relief of Jane W. Nethaway. April 10, 1866, ch. 37 579

Emma J. Hall. An act for the relief of Emma J. Hall. April 10, 1866, ch. 38 580

Augustin Amiot. An act to confirm unto Augustin Amiot, his legal assigns and representatives, a certain lot of ground in the city of Saint Louis, in the State of Missouri. April 12, 1866, ch. 42 580

E. W. Eddy. An act for the relief of the estate of E. W. Eddy. April 12, 1866, ch. 43 580

Almon W. Babbitt. An act for the relief of the administrators and securities of Almon W. Babbitt, late secretary of Utah. April 17, 1866, ch. 49 581

Altazera L. Willcox. An act granting a pension to Mrs. Altazera L. Willcox, of Chenango County, in the State of New York. April 17, 1866, ch. 50 581

Isabella Fogg. An act granting a pension to Mrs. Isabella Fogg, of the State of Maine. April 17, 1866, ch. 51 581

Virginia K. V. Moore. An act granting pension to Virginia K. V. Moore. April 17, 1866, ch. 52 582

Elizabeth York. An act granting a pension to Mrs. Elizabeth York, widow of Shubal York, late a surgeon in the fifty-fourth regiment Illinois infantry, volunteers. April 17, 1866, ch. 53 582

Charles Youly. An act for the relief of Charles Youly. April 17, 1866, ch. 54 582

Nicholas Hibner. An act for the relief of Nicholas Hibner, late a private in the sixth regiment Missouri State militia. April 17, 1866, ch. 55 582

Albert Nevins. An act for the relief of Albert Nevins. April 17, 1866, ch. 56 582

Lewis W. Dietrich. An act granting pension to Lewis W. Dietrich. April 17, 1866, ch. 57 583

James G. Clarke. An act for the relief of James G. Clarke. April 18, 1866, ch. 58 583

Sarah E. Wilson. An act granting a pension to Mrs. Sarah E. Wilson. April 18, 1866, ch. 59. 583

Agnes W. Laughlin. An act directing the enrolment of Agnes W. Laughlin, the widow of a deceased soldier, as a pensioner. April 18, 1866, ch. 60 583

Ann Heth. An act for the relief of Ann Heth, widow of William Heth, of Harrison County, Indiana. April 18, 1866, ch. 61 583

Emerance Gouler. An act granting a pension to Mrs. Emerance Gouler. April 18, 1866, ch. 62. 584

Thomas Hurly. An act for the relief of Thomas Hurly. April 20, 1866, ch. 64 584

Thomas F. Wilson. An act for the relief [of] Thomas F. Wilson, late United States consul at Bahia, Brazil. April 25, 1866, ch. 66 584

Page

Theodor G. Eiswald. An act for the relief of Theodor G. Eiswald. April 25, 1866, ch. 67..... 584

George R. Frank. An act for the relief of George R. Frank, late captain thirty-third regiment Wisconsin volunteer infantry. April 26, 1866, ch. 69..... 584

R. E. Bryant. An act for the benefit of Col. R. E. Bryant. May 9, 1866, ch. 77..... 585

R. L. B. Clarke. An act for the relief of R. L. B. Clarke. May 9, 1866, ch. 78..... 585

Francis A. Gibbons. An act [for] the relief of Francis A. Gibbons. May 22, 1866, ch. 90..... 585

Spencer Kellogg. An act granting [a] pension to Spencer Kellogg. May 22, 1866, ch. 91..... 585

John Hoffman. An act granting a pension to John Hoffman, of Madison County, in the State of New York. May 22, 1866, ch. 92..... 586

Betsey Nash An act for the relief of the legal representatives of Betsey Nash. May 22, 1866, ch. 93..... 586

Martha J. Willey. An act for the relief of Martha J. Willey. May 22, 1866, ch. 94..... 586

Isabella Strubing. An act for the relief of Isabella Strubing. May 22, 1866, ch. 95..... 586

Leonard St. Clair. An act to grant a pension to Leonard St. Clair. May 24, 1866, ch. 98..... 586

William L. Herndon. An act for the relief of Mrs. William L. Herndon. May 24, 1866, ch. 99 587

Cornelius B. Gold. An act for the relief of Cornelius B. Gold, late acting assistant-paymaster United States navy. May 26, 1866, ch. 101..... 587

Sally Andrews. An act granting [a] pension to Mrs. Sally Andrews. June 6, 1866, ch. 106.... 587

Joanna Winans. An act granting a pension to Mrs. Joanna Winans. June 6, 1866, ch. 107.... 587

Christina Elder. An act for the relief of Christina Elder. June 6, 1866, ch. 108..... 587

Cordelia Murray. An act for the relief of Cordelia Murray. June 6, 1866, ch. 109..... 588

Martha Stevens. An act granting a pension to Mrs. Martha Stevens. June 8, 1866, ch. 112.... 588

Anna E. Ward. An act granting pension to Anna E. Ward. June 8, 1866, ch. 113..... 588

José Serafin Ramirez. An act to confirm the title of José Serafin Ramirez to certain lands in New Mexico. June 12, 1866, ch. 118..... 588

José Domingues. An act to confirm the grant of certain lands to José Domingues, in California. June 12, 1866, ch. 119..... 589

Anna G. Gaston, Pension to. An act for the relief of Mrs. Anna G. Gaston. June 12, 1866, ch. 120..... 589

Maria Syphax, Title to Land confirmed. An act for the relief of Maria Syphax. June 12, 1866, ch. 121..... 589

Abigail Ryan, Pension to. An act for the relief of Mrs. Abigail Ryan. June 15, 1866, ch. 125... 590

John H. Crowell, Credit to be allowed to. An act for the relief of Captain John H. Crowell, assistant quartermaster in the United States army. June 21, 1866, ch. 133..... 590

James Todd, Administrator of Joshua G. Todd, Payment to. An act for the relief of the heirs of Lieutenant Joshua G. Todd, late of the United States navy, deceased. June 21, 1866, ch. 134..... 590

Jonathan W. Gordon, Credit to be allowed to. An act for the relief of Jonathan W. Gordon, late major in the eleventh regiment of infantry. June 21, 1866, ch. 135..... 590

Elisha W. Dunn, Settlement of Accounts of. An act for the relief of Elisha W. Dunn, a paymaster in the United States navy. June 21, 1866, ch. 136..... 591

Amoskeag Manufacturing Company, Payment to. An act for the relief of the Amoskeag Manufacturing Company. June 22, 1866, ch. 137..... 591

Emil Cohen. An act to change the name of Emil Cohen. June 23, 1866, ch. 139..... 591

Almira M. Berry, Pension to. An act to amend an act entitled "An act granting a pension to the widow of the late Major-General Hiram G. Berry." June 27, 1866, ch. 145..... 591

Jerusha Witter, Pension to. An act for the relief of Mrs. Jerusha Witter. June 27, 1866, ch. 146 591

Ira B. Curtis, Pension to. An act for the relief of Ira B. Curtis. June 27, 1866, ch. 147..... 592

Jane Harris, Pension to. An act for the relief of Jane Harris. June 27, 1866, ch. 148..... 592

Amarilla Cook. An act granting a pension to Mrs. Amarilla Cook. June 27, 1866, ch. 149.... 592

Benjamin Franklin. An act granting a pension to Benjamin Franklin. June 27, 1866, ch. 150. 592

Harriet B. Crocker. An act granting a pension to Mrs. Harriet B. Crocker. June 27, 1866, ch. 151..... 592

Jane D. Brent. An act granting a pension to Jane D. Brent. June 27, 1866, ch. 152..... 593

Cornelius Crowley, Pension to. An act for the relief of Cornelius Crowley. June 27, 1866, ch. 153 593

Andrew J. Gray, Pension to. An act for the relief of A. J. Gray. June 27, 1866, ch. 154..... 593

A. M. Jess. An act granting land to A. M. Jess, of Josephine County, Oregon. June 29, 1866, ch. 157..... 593

Jane E. Miles. An act granting a pension to Jane E. Miles. July 4, 1866, ch. 170..... 594

Sarah J. Purcell, Pension to. An act for the relief of Sarah J. Purcell. July 4, 1866, ch. 171.... 594

Margaret A. Farran. An act granting a pension to Mrs. Margaret A. Farran. July 4, 1866, ch. 172..... 594

Mary C. Hamilton. An act granting a pension to Mary C. Hamilton. July 4, 1866, ch. 173... 594

Page

Emerance Gouler. An act amendatory of an act entitled "An act granting a pension to Mrs. Emerance Gouler." July 13, 1866, ch. 185 594

Mary A. Patrick, Pension to. An act for the relief of Mary A. Patrick. July 13, 1866, ch. 186 .. 595

Joel Farley, Pension to. An act for the relief of Joel Farley. July 13, 1866, ch. 187 595

James L. Perham, Pension to. An act for the relief of James L. Perham. July 13, 1866, ch. 188. 595

John W. Jones, Pension to. An act for the benefit of John W. Jones. July 13, 1866, ch. 189 595

Ann Sheehey, Pension and Payment to. An act granting a pension to Ann Sheehey. July 13, 1866, ch. 190 595

Charles M. Stout. An act for the relief of Charles M. Stout, late a second lieutenant in company E, seventh regiment Pennsylvania reserve corps. July 13, 1866, ch. 191 596

Frank Lynch, Pension to. An act for the relief of Lieutenant-Colonel Frank Lynch. July 13, 1866, ch. 192 596

John Gordon, Pension to. An act for the relief of John Gordon. July 13, 1866, ch. 193 596

J. Judson Barclay, Payment to. An act for the relief of J. Judson Barclay. July 13, 1866, ch. 194 596

Matilda I. Monroe, Pension to. An act for the relief of Matilda I. Monroe. July 13, 1866, ch. 195 596

Lucinda Gates, Pension to. An act for the relief of Lucinda Gates. July 13, 1866, ch. 196 597

Mary A. McManus. An act granting a pension to Mrs. Mary A. McManus, widow of Captain Andrew McManus, late of the sixty-ninth Pennsylvania volunteer infantry. July 13, 1866, ch. 197 597

Mercie E. Scattergood. An act granting an increase of pension to Mrs. Mercie E. Scattergood. July 13, 1866, ch. 198 597

George W. Bush, Pension to. An act for the relief of George W. Bush. July 13, 1866, ch. 199 .. 597

A. T. Spencer and Gurdon S. Hubbard, Account of, to be audited and paid. An act for the relief of A. T. Spencer and Gurdon S. Hubbard. July 18, 1866, ch. 203 597

Samantha Rader, Pension to. An act for the relief of Samantha Rader. July 18, 1866, ch. 204 .. 598

Jonathan W. Beach. An act granting a pension to Jonathan W. Beach. July 18, 1866, ch. 205 598

Charlotte E. Reed. An act granting a pension to Mrs. Charlotte E. Reed. July 18, 1866, ch. 206 598

Salvador Accadi, Pension to minor Children of. An act for the relief of the minor children of Salvador Accadi, deceased. July 18, 1866, ch. 207 598

William G. Lee, Payment to. An act for the benefit of William G. Lee. July 23, 1866, ch. 220 .. 599

William H. Wheeler, Duplicate of Bond to be issued to, &c. An act for the relief of William H. Wheeler, of Bangor, Maine. July 23, 1866, ch. 221 599

Owners of the Hawaiian Bark, &c., Payment to. An act for the relief of the owners of the Hawaiian bark, "Kamahamaha V." July 23, 1866, ch. 222 599

Owners of the Bark "Maria Henry," Payment to. An act for the relief of the owners of the bark "Maria Henry." July 26, 1866, ch. 223 599

Edward P. McKinney, Allowance to. An act for the relief of Edward P. McKinney, of Binghamton, New York, late captain and assistant commissary of subsistence. July 23, 1866, ch. 224 600

Henry Horne, Payment to. An act for the benefit of Henry Horne. July 23, 1866, ch. 225 600

William Cook, Payment to. An act for the relief of William Cook. July 23, 1866, ch. 226 600

Horace I. Hodges, Allowance to Heirs of. An act for the relief of the heirs of Horace I. Hodges. July 23, 1866, ch. 227 600

Liston H. Pearce, Payment to. An act for the relief of Liston H. Pearce. July 23, 1866, ch. 228. 601

James G. Holland, A Credit to be allowed to. An act for the relief of James G. Holland, late acting assistant paymaster United States navy. July 23, 1866, ch. 229 601

The British vessel "Magicienne," Owners of, and Shippers of Cargo by. An act for the relief of the owners of the British vessel "Magicienne." July 25, 1866, ch. 256 601

Thomas W. Stevens. An act for the relief of Thomas W. Stevens. July 25, 1866, ch. 257 602

Alois Klaus. An act for the relief of Alois Klaus. July 25, 1866, ch. 258 602

James P. Johnson. An act for the relief of James P. Johnson. July 25, 1866, ch. 259 602

Daniel Winslow. An act for the relief of Daniel Winslow. July 25, 1866, ch. 260 602

Eleanor C. Ransom. An act for the relief of Mrs. Eleanor C. Ransom. July 25, 1866, ch. 261 .. 602

W. B. Kelley. An act for the relief of W. B. Kelley. July 26, 1866, ch. 271 603

Nancy A. Stocks. An act granting a pension to Mrs. Nancy A. Stocks. July 26, 1866, ch. 272. 603

Drusey A. Layman. An act granting a pension to Drusey A. Layman. July 26, 1866, ch. 273. 603

John Pyle. An act granting a pension to John Pyle. July 26, 1866, ch. 274 603

Abraham Lansing. An act granting a pension to Abraham Lansing. July 26, 1866, ch. 275 603

Thaddeus Hyatt. An act to extend the time of letters patent issued to Thaddeus Hyatt, July 26, 1866, ch. 276 604

John Hastings. An act for the relief of John Hastings, late surveyor and depositary of public moneys at Pittsburg. July 27, 1866, ch. 290 604

Samuel Stevens. An act to authorize Samuel Stevens, a Stockbridge Indian, to enter and purchase a certain tract of land in the Stockbridge reservation, Wisconsin. July 27, 1866, ch. 291 604

Page

Mrs. Ann E. Smoot. An act for the relief of Mrs. Ann E. Smoot, widow of Captain Joseph Smoot. July 27, 1866, ch. 292 605

Francis Colgen. An act for the relief of Francis Colgen. July 28, 1866, ch. 313 605

William Croswell. An act for the relief of William Croswell. July 28, 1866, ch. 314 605

Marion M. Buxton. An act for the relief of Marion M. Buxton. July 28, 1866, ch. 315 605

Quincy A. May. An act for the relief of Quincy A. May. July 28, 1866, ch. 316 606

Daniel Lucas. An act granting a pension to Daniel Lucas. July 28, 1866, ch. 317 606

Robert Baldwin. An act for the relief of Robert Baldwin. July 28, 1866, ch. 318 606

PRIVATE RESOLUTIONS.

[No. 22.] *William Radford.* A resolution authorizing Commodore William Radford to accept a decoration from the King of Italy. April 13, 1866 607

[No. 23.] *H. Paulding.* A resolution authorizing Rear-Admiral H. Paulding to accept a decoration from the King of Italy. April 13, 1866 607

[No. 28.] *Alexander Thompson.* Joint resolution for the relief of Alexander Thompson, late United States consul at Maranham. April 21, 1866 607

[No. 30.] *Beals and Dixon.* A resolution authorizing the Secretary of the Treasury to adjust the claim of Beals and Dixon against the United States. May 2, 1866 607

[No. 33.] *William Sawyer and others.* Joint resolution providing for the reappraisement of the lands described in an act for the relief of William Sawyer and others of Ohio. May 5, 1866 608

[No. 36.] *Harrison Heermance.* Joint resolution for the relief of Rev. Harrison Heermance, late chaplain of one hundred and twenty-eighth regiment, New York volunteers. May 9, 1866 608

[No. 54.] *Joseph Nock.* A resolution referring the petition and papers in the case of Joseph Nock to the court of claims. June 21, 1866 608

[No. 56.] *Samuel Norris.* A resolution for the relief of Samuel Norris. June 22, 1866 608

[No. 59.] *Charles M. Blake.* Joint resolution for the relief of Charles M. Blake. June 27, 1866 609

[No. 60.] *Elizabeth Woodward and George Chorpenning.* Joint resolution for the relief of Elizabeth Woodward and George Chorpenning of Pennsylvania. June 29, 1866 609

[No. 61.] *Ambrose L. Goodrich, Nathan Cornish, Daniel Wellington, and J. C. Dorsey.* Joint resolution for the relief of Ambrose L. Goodrich and Nathan Cornish, for carrying the United States mail from Boise city to Idaho city in the territory of Idaho, and of Daniel Wellington and J. C. Dorsey for extra services in carrying the mails. June 29, 1866 609

[No. 64.] *Joseph Parkins.* Joint resolution for the relief of Joseph Parkins. July 3, 1866 609

[No. 65.] *Wyatt H. Hamrick.* Joint resolution providing for the settlement of accounts of W. H. Hamrick. July 3, 1866 610

[No. 68.] *Edgar T. Harris.* Joint resolution for the relief of Edgar T. Harris, July 13, 1866. 610

[No. 70.] *John Wells and Sons.* Joint resolution for the relief of John Wells and Sons, of Baltimore. July 23, 1866 610

[No. 71.] *Caroline A. Randall.* Joint resolution for the relief of Caroline A. Randall, administratrix and widow of Charles B. Randall, deceased. July 23, 1866 610

[No. 72.] *Isaac Ranney.* Joint resolution for the relief of Isaac Ranney, internal revenue collector for the eighth district, Ohio. July 23, 1866 611

[No. 78.] *Richard W. Meade.* A resolution to refer the claim of the administrator of Richard W. Meade, deceased, to the court of claims. July 25, 1866 611

[No. 88.] *Milton McKinnon.* A resolution for the relief of Milton McKinnon. July 26, 1866.. 611

[No. 89.] *Caleb T. Fay and William Y. Patch.* A resolution authorizing the Secretary of the Treasury to audit and settle the accounts of Caleb T. Fay and William Y. Patch, late assessor and collector of internal revenue at San Francisco. July 26, 1866 612

[No. 94.] *Charles M. Blake.* A resolution for the relief of Charles M. Blake. July 27, 1866... 612

[No. 95.] *Fontaine T. Fox, Jr.* Joint resolution for the relief of Fontaine T. Fox, Jr. July 27, 1866 612

[No. 103.] *Mary Phelps.* Joint resolution to reimburse Mrs. Mary Phelps, of Missouri. July 28, 1866 612

[No. 104.] *Henry Charles De Ahna.* Joint resolution to provide for payment of the claim of Colonel H. C. De Ahna for military services. July 28, 1866 612

[No. 105.] *Alexander Dunbar.* Joint resolution authorizing the Secretary of War to contract with Dr. Alexander Dunbar. July 28, 1866 613

[No. 106.] *Lewis F. Fix.* Joint resolution to Colonel Lewis F. Fix. July 28, 1866 613

[No. 107.] *Charles M. Pott.* Joint resolution authorizing the Secretary of the Interior to pay Charles M. Pott a pension of fifteen dollars a month. July 28, 1866 613

[No. 108.] *Charles B. Boynton.* Joint resolution to authorize the payment of Rev. C. B. Boynton, as chaplain of the House of Representatives of the Thirty-ninth Congress. July 28, 1866 613

STATUTE II. — 1866 - 67.

Page

Katharine F. Winslow. An act granting a pension to Mrs. Katharine F. Winslow. December 12, 1866, ch. 1 615

Alexis Gardapier. An act confirming the title of Alexis Gardapier to a certain tract of land in the county of Brown and State of Wisconsin. December 15, 1866, ch. 2 615

Francis S. Lyon. An act releasing to Francis S. Lyon the interest of the United States in certain lands. December 15, 1866, ch. 3 616

Lewis Dyer. An act for the relief of Lewis Dyer, late surgeon of the eighty-first regiment Illinois volunteers. January 22, 1867, ch. 13 616

James Pool. An act for the relief of James Pool. January 22, 1867, ch. 14 616

Catharine Welsh. An act for the relief of Catharine Welsh. January 31, 1867, ch. 18 616

Solomon P. Smith. An act for the relief of Solomon P. Smith. January 31, 1867, ch. 19 616

Josiah O. Armes. An act for the relief of Josiah O. Armes. January 31, 1867, ch. 20 617

Matilda Harmon. An act for the relief of Matilda Harmon, of the county of Greene, and State of Tennessee, widow of Jacob Harmon. January 31, 1867, ch. 21 617

George W. Fish. An act for the relief of George W. Fish. January 31, 1867, ch. 22 617

Mary E. Finney. An act for the relief of Mrs. Mary E. Finney, widow of first lieutenant Solon H. Finney, late of the sixth regiment Michigan cavalry. January 31, 1867, ch. 23 617

Barbury Frye. An act for the relief of Barbury Frye, widow of Henry Frye. January 31, 1867, ch. 24 617

William A. and Jacob M. Hinshaw. An act for the relief of William A. Hinshaw and Jacob M. Hinshaw, minor children of Jacob M. Hinshaw, deceased. January 31, 1867, ch. 25 618

James Starkey. An act for the relief of Captain James Starkey. February 5, 1867, ch. 33 618

E. J. Curley. An act for the relief of E. J. Curley. February 8, 1867, ch. 35 618

Rufus C. Spalding. An act for the relief of Rufus C. Spalding, paymaster in the *the* United States navy. February 15, 1867, ch. 39 618

James T. Pollock, Sureties of. An act for the relief of the sureties of James T. Pollock, late receiver at Crawfordsville, Indiana. February 15, 1867, ch. 40 618

Alexander F. Pratt. An act for the relief of Alexander F. Pratt. February 18, 1867, ch. 49 619

Jane Clements. An act granting a pension to Mrs. Jane Clements. February 18, 1867, ch. 50 619

Samuel Downing. An act granting an additional pension to Samuel Downing, one of the last surviving soldiers of the revolutionary war. February 18, 1867, ch. 51 619

Lemuel Worster, Pension to. An act for the relief of Lemuel Worster. February 18, 1867, ch. 52. 619

Hiram Hedrick, Pension to. An act for the relief of Hiram Hedrick. February 18, 1867, ch. 53 620

Elizabeth Fletcher, Pension to. An act for the relief of Mrs. Elizabeth Fletcher. February 18, 1867, ch. 54 620

John Morean, Pension to. An act for the relief of John Morean, of Machias, N. Y. February 18, 1867, ch. 55 620

John Gray, Pension to. An act for the relief of John Gray, a revolutionary soldier. February 22, 1867, ch. 68 620

John J. Sohan. An act granting an increased pension to John J. Sohan. February 22, 1867, ch. 69 620

Solomon Long, Pension to Children of. An act for the relief of the children of Solomon Long, under sixteen years of age. February 22, 1867, ch. 70 621

Daniel Frederick Bakeman, Pension to. An act for the relief of Daniel Frederick Bakeman, a revolutionary soldier. February 22, 1867, ch. 71 621

Delia A. Jacobs may apply for Extension of Patent. An act for the relief of Delia A. Jacobs, late Delia A. Fitzgerald. February 22, 1867, ch. 72 621

John C. McFerran, Credit allowed to. An act for the relief of John C. McFerran, of the United States army. February 22, 1867, ch. 73 621

James C. Cook may apply for Extension of Patent. An act for the relief of James C. Cook. February 22, 1867, ch. 74 622

Catherine Mock, Pension to. An act for the relief of Catherine Mock. February 22, 1867, ch. 75. 622

Kennedy O'Brien, Pension of, increased. An act for the relief of Kennedy O'Brien. February 25, 1867, ch. 84 622

Charles N. Weiss. An act granting a pension to Charles N. Weiss. February 25, 1867, ch. 85 622

Olivia W. Cannon. An act granting a pension to Olivia W. Cannon. February 25, 1867, ch. 86 622

Jerusha Page, Pension to. An act for the benefit of Mrs. Jerusha Page. February 25, 1867, ch. 87 623

Adeline M. Gould. An act granting a pension to Mrs. Adeline M. Gould. February 25, 1867, ch. 88 623

John Carter. An act granting a pension to John Carter. February 25, 1867, ch. 89 623

Page

Charles Appleton, Pension of, increased. An act for the relief [of] Charles Appleton. February 25, 1867, ch. 90 623

Mary A. Smith, Pension to. An act for the relief of Mary A. Smith, of Johnson County, Tennessee, widow of Alexander D. Smith, deceased. February 25, 1867, ch. 91 623

Ernestine Becker. An act granting a pension to Mrs. Ernestine Becker. February 25, 1867, ch. 92 624

Caroline McGee, Pension to. An act for the relief of Caroline McGee, of Greene County, Tennessee, widow of Lemuel McGee, deceased. February 25, 1867, ch. 93 624

Josephine Slocum. An act granting a pension to Mrs. Josephine Slocum. February 25, 1867, ch. 94 624

Ezra B. Gordon. An act granting a pension to Ezra B. Gordon. February 25, 1867, ch. 95 ... 624

Edward St. Clair Clarke, Allowance to, in Settlement of Accounts. An act for the relief of Edward St. Clair Clarke. February 25, 1867, ch. 96 624

Patrick Meehan. An act granting a pension to Patrick Meehan. February 25, 1867, ch. 97 625

Henry S. Davis, Appropriation for, in Settlement of Claim. An act for the relief of Henry S. Davis. February 28, 1867, ch. 104 625

John J. Young, Allowance to. An act for the relief of Captain John J. Young, of the United States navy. February 28, 1867, ch. 105 625

James Tetlow, Pay to, for building four Steam Tugboats. An act for the relief of James Tetlow. February 28, 1867, ch. 106 625

William Mann and Jacob Senneff may apply for Extension of Patent. An act for the relief of William Mann and Jacob Senneff. February 28, 1867, ch. 107 625

Henry P. Blanchard, Pay for Services. An act for the relief of Henry P. Blanchard. February 28, 1867, ch. 108 626

Hiram Paulding, Accounts of, to be audited. An act for the relief of Hiram Paulding, rear-admiral United States navy. February 28, 1867, ch. 109 626

Margaret Boucher. An act granting back pension to Margaret Boucher. February 28, 1867, ch. 110 626

James Riddle, Pension to. An act for the relief of James Riddle. February 28, 1867, ch. 111 626

J. and O. P. Cobb and Co., Payment to, in full discharge of Claim. An act for the relief of J. and O. P. Cobb and Co. February 28, 1867, ch. 112 627

John Faris, Pension to Orphan Children of. An act for the relief of the orphan children of John Faris. February 28, 1867, ch. 113 627

Peter Fisher. An act granting a pension to Peter Fisher. February 28, 1867, ch. 114 627

Rufus L. Harvey, Pension to. An act for the relief of Rufus L. Harvey. February 28, 1867, ch. 115 627

Thomas Glasgow, Pension to. An act for the relief of Thomas Glasgow. February 28, 1867, ch. 116 627

Joseph Wrenn. An act granting a pension to Joseph Wrenn. February 28, 1867, ch. 117 628

Ann I. Duchman, Pension to. An act for the relief of Ann I. Duchman. February 28, 1867, ch. 118 628

Francis Barron, Pension to. An act for the relief of Francis Barron. February 28, 1867, ch. 119 628

John Russell. An act increasing the pension of John Russell. February 28, 1867, ch. 120 628

Levisa Daniel, Pension to. An act for the relief of Levisa Daniel. February 28, 1867, ch. 121 ... 628

Mary Fitzpatrick. An act granting a pension to Mary Fitzpatrick. February 28, 1867, ch. 122. 629

Lewis A. Horton. An act granting arrears of pension to Lewis A. Horton. February 28, 1867, ch. 123 629

Mary B. Fowler, Pension to. An act for the relief of Mary B. Fowler. February 28, 1867, ch. 124 629

George W. Knabb, Pension to. An act for the relief of George W. Knabb. February 28, 1867, ch. 125 629

Daniel McMahon, Pension to. An act for the relief of Daniel McMahon. February 28, 1867, ch. 126 629

William H. Hafer, Pension to. An act for the relief of William H. Hafer. February 28, 1867, ch. 127 630

Isabella Fogg. An act increasing the pension of Isabella Fogg. February 28, 1867, ch. 128 630

Elizabeth Staley, Pension to. An act for the relief of Elizabeth Staley. February 28, 1867, ch. 129 630

Mary Hosea. An act granting a pension to Mary Hosea. February 28, 1867, ch. 130 630

David B. Champion. An act granting a pension to David B. Champion. February 28, 1867, ch. 131 630

John Rogers. An act granting a pension to John Rogers. February 28, 1867, ch. 132 631

Mary A. Cross, Pension to. An act for the relief of Mary A. Cross. February 28, 1867, ch. 133. 631

Sally Allen. An act granting arrears of pension to Sally Allen. February 28, 1867, ch. 134 631

Effie J. Harvey. An act granting a pension to Effie J. Harvey. February 28, 1867, ch. 135 631

Nancy Hinton, Pension to. An act for the relief of Nancy Hinton. February 28, 1867, ch. 136 .. 631

William Gleason. An act granting a pension to William Gleason. February 28, 1867, ch. 137 .. 631

Page

Milton Velzy, Payment of Pension to. An act for the relief of Milton Velzy. February 28, 1867, ch. 138 632

Mary J. Dexter. An act granting back pension to Mary. J. Dexter. February 28, 1867, ch. 139 632

Charles Valence, Pension to. An act for the relief of Charles Valence. February 28, 1867, ch. 140 632

Rachel McClelland, Pension to. An act for the relief of Mrs. Rachel McClelland. February 28, 1867, ch. 141 632

Levi M. Roberts. An act increasing the pension of Levi M. Roberts. February 28, 1867, ch. 142. 633

Richard Chenery, Claim of, to be examined. An act for the relief of Richard Chenery. March 2, 1867, ch. 198 633

Nathan Sargent Dustin, Change of Name to Nathan Sargent. An act to authorize the change of a name. March 2, 1867, ch. 199 633

Sylvanus Sawyer and William E. Ward, Patents of to be extended. An act for the relief of Sylvanus Sawyer and William E. Ward. March 2, 1867, ch. 200 633

Elizabeth F. Chipman, Payment to. An act for the relief of Mrs. Elizabeth F. Chipman, widow of Major Charles Chipman, deceased. March 2, 1867, ch. 201 634

Ernst F. Kleinschmidt, Reimbursement of Money to. An act for the relief of Ernst F. Kleinschmidt, of Cincinnati, Ohio. March 2, 1867, ch. 202 634

Henry Rudd, Compensation to, for Losses. An act for the relief of Henry Rudd, of Henry County, Iowa. March 2, 1867, ch. 203 634

James M. Bishop, Allowance to for Services. An act for the relief of James M. Bishop. March 2, 1867, ch. 204 634

W. W. Potter. An act to authorize the Secretary of the Treasury to pay [a] certain draft to W. W. Potter, late acting military agent of the State of New York. March 2, 1867, ch. 205. 634

Oliver Lumphrey, Payment to for Services. An act for the relief of Oliver Lumphrey. March 2, 1867, ch. 206 635

Samuel M. Beatty, Payment to as Chaplain. An act for the relief of Reverend Samuel M. Beatty, of Ohio. March 2, 1867, ch. 207 635

John E. Bouligny, Land Title confirmed to Heirs of. An act for the relief of the heirs of John E. Bouligny. March 2, 1867, ch. 208 635

Joshua H. Butterworth. Extension of Patent. An act for the relief of Joshua H. Butterworth. March 2, 1867, ch. 209 636

Frank Pugsley, Payment to, for Services. An act for the relief of Frank Pugsley, late a private soldier in company I., of the third regiment of New Hampshire volunteers. March 2, 1867, ch. 210 636

William H. Webb. An act for the relief of William H. Webb. March 2, 1867, ch. 211 636

James Fulton, Credit to be made to. An act for the relief of James Fulton, paymaster United States navy. March 2, 1867, ch. 212 636

Elias Beale, Account of to be settled. An act for the relief of Captain Elias Beale, late captain company H., eighth regiment Tennessee volunteer infantry. March 2, 1867, ch. 213 636

Thomas D. Burrall, Extension of Patent. An act for the relief of Thomas D. Burrall. March 2, 1867, ch. 214 637

Eliza Wells, Extension of Patent to. An act to extend to, and for the benefit of, Eliza Wells letters patent heretofore issued to Henry A. Wells, deceased. March 2, 1867, ch. 215 637

Hugh Leddy, Return of Value of Property to. An act for the relief of Hugh Leddy. March 2, 1867, ch. 216 638

PRIVATE RESOLUTIONS.

[No. 2.] *William P. Wingate.* A resolution in relation to the settlement of the accounts of William P. Wingate, collector at the port of Bangor, Maine. January 5, 1867 639

[No. 9.] *Abby Green, Payment to.* A resolution for the relief of Mrs. Abby Green. January 29, 1867 639

[No. 10.] *William D. Nelson, Payment to.* Join resolution for the relief of William D. Nelson. January 31, 1867 639

[No. 13.] *Sioux Reservation.* Joint resolution for the relief of certain settlers on the Sioux reservation, in the State of Minnesota. February 8, 1867 640

[No. 18.] *Paul S. Forbes.* A resolution for the relief of Paul S. Forbes, under his contract with the Navy Department for building and furnishing the steam screw sloop of war "Idaho." February 18, 1867 640

[No. 19.] *Charles Clark.* A resolution for the relief of Charles Clark, Marshal of the United States, for the District of Maine. February 18, 1867 640

[No. 20.] *James Keenan, Payment to.* Joint resolution for the relief of James Keenan. February 18, 1867 640

[No. 24.] *Ober, Nanson, and Company, Amount of lost Notes to be paid to.* Joint resolution for the relief of Ober, Nanson, and Company, merchants of New York. February 22, 1867 640

[No. 25.] *Stephen E. Jones, Payment to.* Joint resolution for the relief of Stephen E. Jones. February 22, 1867 641

[No. 29.] *Martha McCook, Pension to.* A resolution for the relief of Martha McCook. February 25, 1867 641

Page

[No. 34.] *John A. Webster, Jr.* Joint resolution to permit Captain John A. Webster, Jr. of the steamer "Mahoning," to receive from the government of Great Britain a gold chronometer. February 28, 1867 642

[No. 35.] *D. Randolph Martin.* Joint resolution authorizing the Secretary of War to adjust and settle the claim of D. Randolph Martin, assignee of the Washington, Alexandria, and Georgetown Railroad Company. February 28, 1867 642

[No. 36.] *Daniel Cole, Pension to.* Joint resolution for the relief of Daniel Cole. February 28, 1867 642

[No. 37.] *Virginia S. Wilson, Payment of Pension to.* Joint resolution for the relief of Virginia S. Wilson, widow of the late Captain George W. Wilson. February 28, 1867 642

[No. 38.] *Walter C. Whitaker, Payment to.* Joint resolution for the relief of Walter C. Whitaker. February 28, 1867 642

[No. 39.] *Obadiah Aderton, Pension to.* Joint resolution for the relief of Obadiah Aderton. February 28, 1867 643

[No. 40.] *Charles O. Rowohl, Pension to Mother of.* Joint resolution for the relief of the mother of Charles O. Rowohl. February 28, 1867 643

[No. 41.] *William Whelan, Pension to Orphan Children of.* Joint resolution for the relief of the orphan children of William Whelan. February 28, 1867 643

[No. 43.] *Tuller and Fisher.* Joint resolution to audit and pay the claim of Tuller and Fisher, of Missouri. March 1, 1867 643

[No. 61.] *John H. Hamlin, Payment to.* Joint resolution to pay Lieutenant John H. Hamlin for military services. March 2, 1867 643

[No. 62.] *Dempsey Reece, discharged from Contract.* A resolution for the relief of Dempsey Reece, of Indiana. March 2, 1867 644

[No. 63.] *John Sedgewick.* Joint resolution authorizing the Secretary of the Treasury to audit and settle the accounts of John Sedgewick, collector of internal revenue for the third collection district of California. March 2, 1867 644

[No. 64.] *Almanson Eaton, Credit to, for Money lost.* Joint resolution for the relief of Almanson Eaton, receiver of public money for the land office at Stevens' Point, Wisconsin. March 2, 1867 644

[No. 65.] *F. A. Gibbons and F. X. Kelley.* Joint resolution referring the papers in the case of F. A. Gibbons and F. X. Kelley to the court of claims. March 2, 1867 644

[No. 66.] *John R. Beckley.* Joint resolution authorizing the Secretary of the Treasury to audit and pay the claim of John R. Beckley. March 2, 1867 644

[No. 67.] *James I. Hudnall, Credit to, for Money lost.* Joint resolution for the relief of James I. Hudnall. March 2, 1867 645

[No. 68.] *Joseph R. Morris, Patent to issue to.* A resolution for the relief of Joseph R. Morris. March 2, 1867 645

[No. 69.] *Seventh Regiment West Virginia Volunteers, Payment to.* A resolution for the relief of certain enlisted men of the seventh regiment of West Virginia volunteers. March 2, 1867 645

[No. 70.] *Dyer B. Pettijohn, Payment to.* A resolution for the relief of Dyer B. Pettijohn. March 2, 1867 646

[No. 71.] *J. H. Riley, Payment to.* Joint resolution for the relief of J. H. Riley. March 2, 1867 646

[No. 72.] *Gustavus V. Fox and others.* A resolution authorizing Gustavus V. Fox, late assistant secretary of the Navy, and the officers of the iron-clad "Miantonomah" and gunboat "Augusta," to accept presents tendered them by the Emperor of Russia. March 2, 1867 646

LIST

OF THE

TREATIES CONTAINED IN THIS VOLUME.

Page

Nez Percé Indians. Treaty between the United States of America and the Nez Percé tribe of Indians; Concluded June 9, 1863; Ratification advised April 17, 1867; Proclaimed April 20, 1867 647

Japan. Convention between the United States and the Empire of Japan; Concluded at Yedo January 28, 1864; Proclaimed April 9, 1866 655

Chippewa Indians. Treaty between the United States of America and the Chippewa Indians of Saginaw, Swan Creek, and Black River, Michigan; Concluded October 18, 1864; Ratification advised, with amendments, May 22, 1866; Amendments accepted June 18, 1866; Proclaimed August 16, 1866 657

Japan. Convention between the United States and the Empire of Japan; Concluded October 22, 1864; Proclaimed April 9, 1866 665

Omaha Indians. Treaty between the United States of America and the Omaha tribe of Indians; Concluded March 6, 1865; Ratification advised February 13, 1866; Proclaimed February 15, 1866 667

Winnebago Indians. Treaty between the United States of America and the Winnebago tribe of Indians; Concluded March 8, 1865; Ratification advised, with amendment, February 13, 1866; Amendment accepted February 20, 1866; Proclaimed March 28, 1866 671

Poncas. Supplemental treaty between the United States of America and the Ponca tribe of Indians; Concluded March 10, 1865; Ratification advised March 2, 1867; Proclaimed March 28, 1867 675

Morocco. Convention between the United States, Austria, Belgium, Spain, France, Great Britain, Italy, the Netherlands, Portugal, and Sweden, on the one part, and the Sultan of Morocco on the other part, concerning the administration and upholding of the lighthouse at Cape Spartel; Concluded at Tangier, May 31, 1865; Proclaimed March 12, 1867 679

Woll-Pah-Pe Indians. Treaty between the United States of America and the Woll-pah-pe tribe of Snake Indians; Concluded August 12, 1865; Ratification advised July 5, 1866; Proclaimed July 10, 1866 683

Osage Indians. Treaty between the United States of America and the Great and Little Osage Indians; Concluded September 29, 1865; Ratification advised, with amendments, June 26, 1866; Amendments accepted September 21, 1866; Proclaimed January 21, 1867 687

Minneconjon Indians. Treaty between the United States of America and the Minneconjon band of Dakota or Sioux Indians; Concluded October 10, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866 695

Lower Brulé Indians. Treaty between the United States of America and the Lower Brulé band of Dakota or Sioux Indians; Concluded October 14, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866 699

Cheyennes and Arrapahoes. Treaty between the United States of America and the Cheyenne and Arrapahoe tribes of Indians; Concluded October 14, 1865; Ratification advised, with amendments, May 22, 1866; Amendments accepted, November 10 and 19, 1866; Proclaimed February 2, 1867 703

Apache, Cheyenne, and Arrapahoe Indians. Treaty between the United States of America and the Apache, Cheyenne, and Arrapahoe tribes of Indians; Concluded October 17, 1865; Ratification advised May 22, 1866; Proclaimed May 26, 1866 713

Camanche and Kiowa Indians. Treaty between the United States of America and the Camanche and Kiowa tribes of Indians; Concluded October 18, 1865; Ratification advised May 22, 1866; Proclaimed May 26, 1866 717

Two Kettles Indians. Treaty between the United States of America and the Two Kettles band of Dakota or Sioux Indians; Concluded October 19, 1866; Ratification advised, with amendment, March 5, 1866; Proclaimed March 19, 1866 723

Blackfeet Indians. Treaty between the United States of America and the Blackfeet band of Dakota or Sioux Indians; Concluded October 19, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866 727

Page

Sans Arcs Indians. Treaty between the United States of America and the Sans Arcs band of Dakota or Sioux Indians; Concluded October 20, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866 731

Yanktonai Indians. Treaty between the United States of America and the Yanktonai band of Dakota or Sioux Indians; Concluded October 20, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866 735

Onkpahpah Indians. Treaty between the United States of America and the Onkpahpah band of Dakota or Sioux Indians; Concluded October 20, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866 739

Upper Yanktonais Indians. Treaty between the United States of America and the Upper Yanktonais band of Dakota or Sioux Indians; Concluded October 28, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866 743

O'Gallalla Indians. Treaty between the United States of America and the O'Gallalla band of Dakota or Sioux Indians; Concluded October 28, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866 747

Middle Oregons. Supplemental treaty between the United States of America and the Confederated Tribes and Bands of Indians of Middle Oregon; Concluded November 15, 1865; Ratification advised, March 2, 1867; Proclaimed March 28, 1867 751

Seminoles. Treaty between the United States of America and the Seminole Nation of Indians; Concluded March 21, 1866; Ratification advised July 19, 1866; Proclaimed August 16, 1866 755

Pottawatomie Indians. Supplemental article to the treaty of November 15, 1861, between the United States of America and the Pottawatomie tribe of Indians; Concluded March 29, 1866; Ratification advised April 26, 1866; Proclaimed May 5, 1866 763

Bois Forte Indians. Treaty between the United States of America and the Bois Forte band of Chippewa Indians; Concluded April 7, 1866; Ratification advised, with amendment, April 26, 1866; Amendment accepted April 28, 1866; Proclaimed May 5, 1866 765

Choctaws and Chickasaws. Treaty between the United States of America and the Choctaw and Chickasaw Indians; Concluded April 28, 1866; Ratification advised, with amendments, June 28, 1866; Amendments accepted July 2, 1866; Proclaimed July 10, 1866 769

Creeks. Treaty between the United States of America and the Creek Nation of Indians; Concluded June 14, 1866; Ratification advised, with amendments, July 19, 1866; Amendments accepted July 23, 1866; Proclaimed August 11, 1866 785

Delawares. Treaty between the United States of America and the Delaware tribe of Indians; Concluded July 4, 1866; Ratification advised July 26, 1866; Proclaimed August 10, 1866 793

Cherokees. Treaty between the United States of America and the Cherokee Nation of Indians; Concluded July 19, 1866; Ratification advised, with amendments, July, 27, 1866; Amendments accepted July 31, 1866; Proclaimed August 11, 1866 799

LIST

OF THE

PROCLAMATIONS CONTAINED IN THIS VOLUME.

PROCLAMATIONS—APPENDIX.

Page

No. 1. Declaring the insurrection at an end in certain States of the Union. April 2, 1866..... 811

No. 2. Warning against taking part in or abetting military expeditions to be carried on from the territory of the United States against British North America. June 6, 1866..... 813

No. 3. Declaring the decree attempting to establish a blockade of the port of Matamoras and other Mexican ports to be null and void. August 17, 1866..... 814

No. 4. Declaring the insurrection in Texas at an end, that the insurrection is at an end, and that peace, order, tranquillity, and civil authority exist throughout the whole of the United States. August 20, 1866..... 814

No. 5. Appointing a day of thanksgiving and praise. October 8, 1866..... 817

No. 6. Declaring the rates of tonnage duty on French vessels entering ports of the United States on and after January 1, 1868. December 28, 1866..... 818

No. 7. Calling public attention to the treaty regulation forbidding American merchant vessels stopping or anchoring in any port or roadstead in Japan, except the three opened ports. January 12, 1867..... 819

No. 8. Declaring the suspension of acts imposing discriminating duties of tonnage and impost within the United States, as respects vessels of the Hawaiian Islands and their cargoes from December 10th, A. D. 1866, and to continue until, &c. January 29, 1867..... 819

No. 9. Declaring the admission of the State of Nebraska into the Union complete. March 1, 1867..... 820

No. 10. Convening an extraordinary session of the Senate for April 1st, 1867. March 30, 1867. 821

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."*

Dec. 18, 1865.

1862, ch. 102. Vol. x. p. 428.

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 occur 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 ensuing, 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.

Grand and petit jurors in the District of Columbia, how summoned, when all names have been drawn from box.

Vacancies, how filled.

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 is 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 Washington 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 qualifications, 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.

Grand and petit jurors for the December Term, 1865, of the Supreme Court of the District of Columbia.

APPROVED, December 18, 1865.

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

Dec. 18, 1865.

See 1866, ch. xii *Post*, p. 8.

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

Importation of cattle prohibited

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.

When cattle may be imported, and this act be of no force.

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. 19, 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 19, 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:

Invalid.

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

Revolutionary pension agents, &c.
1818, ch. 19.
1828, ch. 53.
1832, ch. 126.
1836, ch. 362.
1838, ch. 189.
1843, ch. 102.
1844, ch. 102.
1848, ch. 8, 120.
1853, ch. 41.
1858, ch. 85.
1862, ch. 166.

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; July seventh, eighteen hundred and thirty-eight; March third, eighteen hundred and forty-three; June seventeenth, eighteen hundred and forty-four; February second, July twenty-first, and July twenty-ninth, eighteen hundred and forty-eight; February third, eighteen hundred and fifty-three; June third, eighteen hundred and fifty-eight; and July fourteenth, eighteen hundred and sixty-two, and for compensation to pension agents and expenses of agencies, nine millions eight hundred thousand dollars.

Navy pensions.
1848, ch. 155.
1862, ch. 166.

For navy pensions to widows, children, mothers, and sisters, as provided for by acts of August eleventh, eighteen hundred and forty-eight, 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.

Sec. 2 *And be it further enacted*, That the following [sum] be, and the same is hereby, appropriated to supply a deficiency in the appropriation for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-six, out of any money in the treasury not otherwise appropriated:

Pensions.

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.* Feb. 10, 1866.

Registered American vessels authorized to sail under a foreign flag during the rebellion, not to be deemed &c. American vessels, except &c.

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.* Feb. 10, 1866.

Franking privileges granted 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 carried by post, to and from Mary Lincoln, widow of the late Abraham Lincoln, be conveyed free of postage during her natural life.

APPROVED, Februray 10, 1866.

CHAP. X. — *An Act authorizing an Increase of the clerical Force in the Post Office Department.* Feb. 16, 1866.

Clerical force in the Post Office Department may be increased, and how paid.

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.* March 6, 1866.

1866, ch. ii. *Ante*, p. 1.

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:

Importation of neat cattle and hides thereof, prohibited.

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 opera-

Act suspended whenever, &c.

tion of this act, or any part thereof, shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof, that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry this law into effect, or to suspend the same as therein provided, and to send copies thereof to the proper officers in the United States, and to such officers or agents of the United States in foreign countries as he shall judge necessary.

Act may be made inoperative by proclamation of the President, &c.

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.

Penalty for violation of this act.

SEC. 3. *And be it further enacted*, That any person convicted of a wilful 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.*

Right of the United States in certain lands in San Francisco released to that city, and the claim of that city confirmed, subject, &c.

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 heretofore 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.

Valid adverse rights not affected.

APPROVED, March 8, 1866.

March 10, 1866.

1864, ch. 173. Vol. xiii. p. 223.

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.*

In § 120, "Dividends in scrip, &c.," to mean what. Vol. xiii. p 283.

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 depositors," are hereby declared to mean all dividends in scrip or money wherever payable, and all stockholders, policy-holders, depositors, or parties whatsoever, including non-residents, whether citizens or aliens.

In § 120, the words "stockholders," and "all such interest, &c.," to mean what. Vol. xiii. p. 283.

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 whatsoever party or person the same are or may be payable, including non-residents, whether citizens or aliens.

Persons making returns of income, &c., to declare whether the rates, &c., in such returns are given in legal tender currency. Penalty for refusal or neglect so to do.

SEC. 3. *And be it further enacted*, That it shall be the duty of all persons 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 refusing 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 imposed by law in case of such neglect or refusal.

Repealed. See *Post*, p. 147.

Returns stated in coined money to be reduced to equivalent in legal tender currency.

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 currency, 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.

Repealed. See *Post*, p. 147.

This act to apply to all returns, lists, assessments, &c.

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.

Repealed. See *Post*, p. 147.

Rules and regulations.

APPROVED, March 10, 1866.

CHAP. XVI. — *An Act to establish certain Post Roads.*

March 14, 1866.

Post roads established in

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:

California.

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 Nome Cult.

From Cloverdale, via the Lakeport and Cloverdale Wagon Road, to Lakeport.

Post routes.

Colorado.

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.

DAKOTA.

From Fort Wadsworth to Devils Lake.

Indiana.

INDIANA.

From Momence, Illinois, via Beaver Lake Ditch, Stringham's Point, and Pilot Grove, all in Newton county, Indiana, to Adriance, Indiana.

From Fulton, via Millville, to Keenawha.

Iowa.

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 Marshalltown, via Vienna, Wolf Grove, Fifteen-Mile Grove, and Grundy Centre, to New Hartford.

From Decorah to Hesper, in Winnesheik 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.

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 Albiline.

From Neosha Falls, via Mount Airy, to Liberty, in Woodson county.

From Emporia, via Madison, Shell Rock, Pleasant Grove, and Post Oak, to Fort Roe.

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.

MAINE.

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

Post routes.

From North Acton, Maine, via Wakefield, to Union, New Hampshire.

From Woodman's Station, via New Gloucester and West Gloucester, to North Raymond, in Cumberland county.

From Poland to West Poland, in Androscoggin county.

Massachusetts.

MASSACHUSETTS.

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

Michigan.

MICHIGAN.

From Coopersville to Squire's Ferry.

From Coopersville, via Mansfield Mills, Ravenna, Slocum's Grove, Whitney's Mill, and Moreland, to Squire's Ferry.

Minnesota.

MINNESOTA.

From Paynesville, by Norway Lake, to Six-mile Timber, on Chippeway river.

From Hastings, via Cannon Falls, to Kenyon.

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

From Watertown to Glencoe.

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

From Hutchinson, via Cedar, Greenleaf, Kandigoli, and Irving, to Torah.

From Henderson, by Arlington, New Auburn, Witadan Lake, and Fort Wadsworth, in Dakota Territory, to Fort Rice, on Missouri river.

Nebraska.

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 Plattsmouth, via Glendale, South Bend, Ashland, Salt Creek, Rock Creek, Lancaster, Saline City, Saltillo, Centreville, Olive Branch, Clatona, to Beatrice.

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

From Decatur, via Logan Valley, West Point, St. Charles, and Jalapa, to Fremont.

From De Soto, via Arizonia, to Decatur.

Nevada.

NEVADA.

From Carson, by way of Ophir, Washoe City, and Steamboat Springs, to Huffaker'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 District, to Silver Peak, all in Nevada.

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

New York.

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 Morris, in the county of Otsego, in the State of New York, is hereby declared to be a post road.

Post routes.

Ohio.

OHIO.

From New Carlisle, via Brant, to Dayton.

Oregon.

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.

PENNSYLVANIA.

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

Vermont.

VERMONT.

From Passumpsic, via South Danville, to Danville.

From South Danville to West Danville.

Washington Territory.

WASHINGTON TERRITORY.

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

West Virginia.

WEST VIRGINIA.

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

Wisconsin.

WISCONSIN.

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

APPROVED, March 14, 1866.

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.

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, and until the first day of May, eighteen hundred and sixty-six, any goods, wares, or merchandise under bond, in any public or private bonded warehouse, upon which the duties are unpaid, may be withdrawn for consumption, and the bonds cancelled, on payment of the duties and charges prescribed by law; and any goods, wares, or merchandise deposited in bond, in any public or private bonded warehouse, on and after the first day of May aforesaid, and all goods, wares, or merchandise remaining in warehouse, under bond, on said first day of May, may be withdrawn for consumption within one year from the date of original importation, on payment of the duties and charges to which they may be subject by law at the time of such withdrawal; and after the expiration of one year from the date of original importation, and until the expiration of three years from said date, any goods, wares, or merchandise, in bond as aforesaid, may be withdrawn for consumption on payment of the duties assessed on the original entry and charges, and an additional duty of ten per centum of the amount of such duties and charges.

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

SEC. 2. *And be it further enacted*, That neither this nor any other act shall operate to prevent the exportation of bonded goods, wares, or merchandise from warehouse within three years from the date of original importation, nor their transportation in bond from the port into which they were originally imported to any other port or ports for the purpose of exportation; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repeal of inconsistent acts.

APPROVED, March 14, 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.

Certain produce of the forests of Maine, sawed in New Brunswick, to be admitted free of duty.

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.

When act takes effect.

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 an 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 fifty-five, be, and the same is 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.

Repeal of § 14 of the act of 1863, ch. 92. Vol. xii. p. 768.

Appeals from court of claims to the supreme court of the United States.

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.

Regular session of court of claims to commence when.

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.

Clerk of court of claims, at end of every term, to send copy of its decisions to heads of departments, &c.

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.

Repeal of certain sections of the act incorporating the Firemen's Insurance Company of Washington, &c.

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.

Stock to be issued, sold, &c.

APPROVED, March 17, 1866.

March 21, 1866.
1865, ch. 91.
Vol. xiii. p. 509.

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.

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.

Powers, &c.

Business of the asylum, how managed.

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.

Officers, quorum.

Board of managers; their residence, mode of election, term of office.
1867, ch. 1.
Vol. xv. p. 1.

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.

New elections and vacancies.

Members, as such, not to be paid, except for expenses.
may be paid for other duties.

Sites for asylums may be procured, and buildings erected.

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.

Appropriations for support of asylum.

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

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.

Donations may be received

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.

Officers of asylum; appointment, removal, &c.

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 neither 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.

Who entitled to benefits of the asylum, and how admitted.

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.

Board to make annual report; to audit accounts of 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.

Inmates subject to rules and articles of war.

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.

Managers may give out-door relief in certain cases.

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 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.

Repeal of law establishing naval asylum in connection with this, &c.

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 a title 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.

Property of the United States at Point Lookout, Maryland, to belong to asylum, when, &c.

Post, p. 564.

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

Act may be altered, &c.

APPROVED, March 21, 1866.

March 21, 1866.
1815, ch. 45. Vol. iii. p. 211.

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.*

Certain locations of land in Missouri made valid. Vol. iii. p. 211.

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.

Right of the United States in certain lands conveyed to James Y. O'Carroll, &c.

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.

Provisos.

APPROVED, March 21, 1866.

April 5, 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., &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.

Offences committed in places ceded to and within the jurisdiction of the United States, not prohibited, and for which a punishment is not specially provided by any law of the United States, how to be punished.

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.* April 5, 1866.

The library of the Smithsonian Institution to be transferred to the library of Congress. 1846, ch. 178. Vol. ix. p. 102

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.

how to be used.

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.

not to be removed except upon reimbursement, &c.

Smithsonian Institution may use library of Congress.

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.

Additional assistants in library of Congress.

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.

Appropriation for expenses of removal.

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.

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.*

Term of the District Court of the United States in Minnesota, established at Winona.

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.

Term at Mankato abolished.

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 5, 1866.

April 6, 1866.

1864, ch. 248. Vol. xiii. p. 389.

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 for other Purposes.*

Allowance to officers in navy and marine corps for loss of personal effects by casualty or in action, &c.

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.

Limit of allowance.

Provisos.

The law requiring bounty-money of mariners, &c., enlisting into the navy from the army, to be deducted from prize-money, repealed.

1863, ch. 75. Vol. xii. p. 731.

1864, ch. 13, § 7. Vol. xiii. p. 7.

Sec. 2. *And be it further enacted*, That so much of the seventh section of the act of Congress, 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, anno Domini eighteen hundred and sixty-three," as provides that "the bounty money which any mariner or se[a]man enlisting from the army into the navy may have received from the United States, or from the State in which he enlisted in the army, shall be deducted from the prize money to which he may become entitled during the time required to complete his military service," be, and the same is hereby, repealed.

Approved, April 6, 1866.

April 7, 1866.

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.*

Deficiency appropriations.

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:

Coast Survey.

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. Coast Survey

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: Light-house Establishment.

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 estimates 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. Light-houses, &c., on the coasts of California, Oregon, and Washington.

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, &c. 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 light-house, 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 Bullock'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.

Light-houses.

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.

Repairs and preservation of public buildings.

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.

Treasury extension.

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

Custom-house, &c., at Dubuque Iowa.

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

Cincinnati.

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

Philadelphia.

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

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.

Bridges and streets.

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.

President's house and conservatory.

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 refurnish 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. 1864, ch. 81, § 3. Vol. xiii. p. 69.

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.

Paving, &c

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.

Public grounds, squares, and buildings.

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

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

Dome of capitol.

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.

Capitol extension.

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.

Burial of Abraham Lincoln.

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

Jail in District of Columbia.

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

Support and transportation of convicts.

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.

Collections of exploring and surveying expeditions.

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

Office of Secretary of State Laws.

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

For extra clerk hire, eight thousand dollars.

Commission under reciprocity treaty. Vol. x. p. 1089.

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. 1865, ch. 98. Vol. xiii. p. 516.

Office of the 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.

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.

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.

Carpets to be of domestic manufacture.

Census office.

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.

Department of the interior.

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

Office of engineer.

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.

Mileage of engineer, examining route of Union Pacific Railroad.

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.

Bridge and wagon road.

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.

Quarters and fuel.

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.

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

William H. Powell, for naval picture. Vol. xiii. p. 570.

To enable the Joint Committee on the Library to pay the first instalment 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

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.

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 public lands.

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. Court-house, &c.

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.

Atlantic and Pacific telegraph.

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

Detection of counterfeiting treasury notes, &c.

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.

D. S. Payne. Census of Idaho. 1863, ch. 117. Vol. xii. p. 808.

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.

Revenue agent at New York. 1864, ch. 173, § 4. Vol. xiii. p. 224.

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.

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

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. Ford's theatre.

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 thou and 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. Indemnity to Butler and Carpenter. 1863, ch. 79, § 9. Vol. xii. p. 752. See 1867, ch. 168, § 5. *Post*, p. 470.

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. Custom-house at Island Pond. Proviso.

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* [four], "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. Library of Congress. 1864, ch. 147. Vol. xiii. p. 148.

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 *be* 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. Additional compensation to district attorneys and marshals for services in suppression of the slave-trade. 1861, ch. 84. Vol. xii. p. 219. Judges, arbitrators, and mixed courts. 1862, ch. 140. Vol. xii. p. 531.

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, Pennsylvania Bank building may be sold. 1860, ch. 100, § 2.

Vol. xii. p. 89. 1862, ch. 11, § 5. Vol. xii. p. 369.

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.

Clerks of assistant treasurer in Philadelphia.

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.

Branch mint at California.

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.

Arizona Territory.

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.

Deficiency appropriations for

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:

officers, &c., of House of Representatives,

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 contingent expenses of the House of Representatives, viz:

For fuel and lights, pay of engineers, firemen, and laborers, repairs and materials, ten thousand dollars.

For furniture, repairs, 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 Senate.

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 con[tin]gent 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. Capitol police.

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

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. 1864, ch. 147. Vol. xii. p. 147.

SEC. 11. *And be it further enacted*, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized to pay A. D. Collingsworth, O. H. Vedder, Edward R. Sherman, Charles C. Adams, Samuel W. Tucker, J. G. Adams, A. Bengiral, J. C. Parker, J. A. Odell, V. Barnes, T. H. Gladman, R. A. Cronin, T. N. Adams, J. C. Cleary, W. D. Lindsay, A. Jewett, jr., F. Cochin, B. C. Farless, J. P. Townsend, C. W. Odell, J. W. Morehead, S. P. Lee, W. H. Salter, James Cross, J. R. Creed, H. B. Rourke, E. A. Lipscomb, George Cottenham, C. A. Perkins, W. B. Cudlipp, S. S. Baker, J. M. Conroy, O. W. Boyden, J. O. Armes, J. Bellows, E. S. Brossius, J. J. Calvert, F. G. Calvert, G. D. Curtis, W. B. Dyer, D. A. Fish, A. H. Gillespie, R. B. Guillien, Charles Goheen, H. Holmes, G. C. Holliday, B. E. Messer, E. C. Messer, F. Madden, W. McKee, W. H. E. Ourand, L. P. Porter, P. W. Pearson, J. L. Rowland, C. V. Rotterden, E. J. Schale, E. J. Sweet, T. J. Schea, J. C. Williams, J. G. Wilson, L. K. Brown, J. H. Gunn, H. A. Dobson, J. A. McIntire, V. B. Munson, J. J. Dickens, W. E. Armes, J. C. Green, Lewis E. Rauterburg, and B. W. Parsons, employed by the deputy provost marshal of the District of Columbia in the enrolling office of said marshal, for night-work and especial service performed in pursuance of a contract between said clerks and said provost marshal, such accounts being properly certified upon the rolls, or by said deputy provost marshal, and the sum of three thousand three hundred and sixty dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated therefor. Employees of deputy provost marshal of the District of Columbia for special service.

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: Deficiency appropriation for

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. Quarter-master General's office.

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. Indian service in Utah.

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. Plates, &c., for national currency notes. No portrait of living person to be engraved thereon.

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

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

Naval academy.

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.

H. A. Klopfer.

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.

Post-office, &c., building at Portland.

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 court-house, 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.

Additional pay of females, &c. 1864, ch. 147, § 3. Vol. xiii. p. 160.

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.

Salaries of officers of the mint at Philadelphia, and assistant treasurers.

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, four thousand five hundred dollars; to the Treasurer, three thousand five hundred dollars, and one thousand five hundred dollars for additional compensation as assistant treasurer of the United States; to the melter and refiner, three thousand dollars; to the assayer, three thousand dollars; to the assistant to the assayer, two thousand dollars; to the chief coiner, three thousand dollars; to the assistant to the chief coiner, two thousand dollars; to the engraver, three thousand dollars; to one clerk, two thousand five hundred dollars; to two clerks, two thousand dollars each; to four clerks, one thousand five hundred dollars each; to the treasurer of the branch mint at San Francisco, for salary as assistant treasurer of the United States, in addition to his salary as treasurer of said mint, one thousand five hundred dollars; to the assistant treasurer of the United States at New York, eight thousand dollars; to the assistant treasurer of the United States at Boston, five thousand dollars; to the assistant treasurer of the United States at Saint Louis, five thousand dollars; and the amount necessary to carry these provisions into effect for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, is hereby appropriated.

APPROVED, April 7, 1866.

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.

CHAP. XXXI. — *An Act to protect all Persons in the United States in their Civil Rights, and furnish the Means of their Vindication.* April 9, 1866.

Who are citizens 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 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.

their rights and obligations.

Penalty for depriving any person of any right protected by this act, by reason of color or race, &c.

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.

Courts of the United States to have jurisdiction of offences under this act.

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 offences 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 offences 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.

Suits commenced in State courts may be removed on defendant's motion.

1865, ch. 90. Vol. xiii. p. 507.

1863, ch. 87. Vol. xii. p. 755.

Jurisdiction to be enforced according to the laws of the United States, or the common law, &c.

District attorneys, &c., to institute proceedings against all violating this act.

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 and 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.

Number of commissioners appointed by circuit and territorial courts to be increased; their authority.

Marshals, &c., to obey all precepts under this act.

Penalty for refusal, &c.

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.

Commissioners may appoint persons to execute warrants.

Authority of such persons.

Warrants to run where.

Penalty for obstructing process under this act;

for rescue, &c.;

for aiding to escape;

for harboring, &c.

SEC. 6. *And be it further enacted*, That any person who shall knowingly and wilfully 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 apprehension 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.

Fees of district attorneys, marshals, clerks, commissioner, &c.;

SEC. 7. *And be it further enacted*, That the district attorneys, the marshals, 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 proceedings 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 commissioner 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.

to be paid from the treasury of the United States, and to be recoverable from defendant when convicted.

President may direct the judge, &c., to attend, &c., for the more speedy trial of persons charged with violating this act;

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.

may enforce the act with the military and naval power.

SEC. 9. *And be it further enacted*, That it shall be lawful for the President 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.

Appeal to the supreme court of the United States.

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.

Bill passed over the veto of the President.

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 vindication," 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. 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.

April 10, 1866.

CHAP. XXXII. — *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.*

Grant of land to Wisconsin for breakwater, harbor, and ship canal.

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.

Proviso. Selections, how made.

Lands subject to disposal of legislature, &c.

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.

Canal to be public highway, &c.

Plans, &c., to be filed in departments.

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.

Unless work is completed in three years, unsold lands revert to the United States.

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.

Account to be kept; and when

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.

work is paid for, only such tolls, &c.

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.

Width and depth of canal

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.*

April 10, 1866.

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,

Preamble

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.

Right of way granted to the "Cascade Railroad Company" through the public lands and military reserve.

Charter of the company declared valid.

Proviso.

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.*

April 12, 1866.

1865, ch. 77. Vol. xiii. p. 468.

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

The Secretary of the Treasury may receive treasury notes, &c., in exchange for bonds, &c.;

may dispose of the bonds in the United States or elsewhere;

in what amount and at what rates.

States, or for any Treasury notes, certificates of indebtedness, or certificates of deposit, or other representatives of value, which have been or which may be issued under any act of Congress, the proceeds thereof to be used only for retiring Treasury notes or other obligations issued under any act of Congress; but nothing herein contained shall be construed to authorize any increase of the public debt: *Provided*, That of United States notes not more than ten millions of dollars may be retired and cancelled within six months from the passage of this act, and thereafter not more than four millions of dollars in any one month: *And provided further*, That the act to which this is an amendment shall continue in full force in all its provisions, except as modified by this act.

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.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall report to Congress at the commencement of the next session the amount of exchanges made or money borrowed under this act, and of whom, and on what terms; and also the amount and character of indebtedness retired under this act, and the act to which this is an amendment, with a detailed statement of the expense of making such loans and exchanges.

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.

1864, ch. 30. Vol. xiii. p. 22.

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.

Proviso.

APPROVED, April 12, 1866.

April 12, 1866.

CHAP. XLI.—*An Act to amend "An Act to incorporate the Mutual Fire Insurance Company of the District of Columbia."*

Charter of Mutual Fire Insurance Company amended.

1855, ch. 26. § 3. Vol. x. p. 836.

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 13, 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a new collection district, to be called the district of Port Huron, be, and the same is hereby, established in the State of Michigan, which shall embrace the mouth and entire shore of the Saint Clair river, and the counties of Saint Clair, Lapeer, Tuscola, and Saginaw, and all the territory and waters of the State of Michigan lying north of said counties and east of the principal meridian; and a collector shall be appointed to reside at Port Huron, which shall be the sole port of entry for said district. And the said collector shall receive the same compensation provided for the collectors of Pembina, Chicago, and certain other ports, by the second section of the act entitled "An

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," approved 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, which shall be the sole port of entry for said district of Michigan.

1864, ch. 130, § 2. Vol. xiii. p. 134.

District of Michigan.

Pay of collector.

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.

District of Montana and Idaho.

Collector, pay, &c.

SEC. 3. *And be it further enacted*, That the collection district of Penobscot, in the State of Maine, shall hereafter be called the District of Castine.

District of Castine, Maine.

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.*

April 17, 1866.

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;

Navy appropriation.

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

Pay of officers, seamen, and engineer corps.

For the payment of bounties to discharged seamen, eight hundred thousand dollars.

Bounties.

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.

Equipment.

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.

Surgeons' necessaries, &c.

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

Navigation apparatus, &c.

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

Contingent expenses.

Bureau of Yards and Docks. — For contingent expenses that may accrue for the following purposes, viz: For freight and transportation; for printing, advertising, and stationery; for books, maps, models, and drawings; 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 description for navy yard purposes; 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 landing at Portsmouth, New Hampshire; for tolls and ferriages; for water tax; and for rent of stores, one million seven hundred and sixty thousand dollars.

Bureau of yards and docks.

Bureau of equipment and recruiting;

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.

of navigation;

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.

of medicine and surgery.

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

Marine Corps.

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; 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: *Provided*, That in the purchase of carpets and furniture provided for in this act they shall be of domestic manufacture.

Navy Yards.

NAVY YARDS.

Portsmouth.

Portsmouth, New Hampshire. — For iron foundery, five thousand nine hundred and forty-six dollars.

For shop for iron-cladding, sixteen thousand six hundred and thirty-two dollars.

For condensers, seven thousand six hundred and sixty dollars.

Navy Yards.

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.

Purchase of Seavey's Island.

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.

Provisos.

Boston.

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.

New York. — For iron-plating shop, ninety-eight thousand nine hundred and twenty-two dollars.

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, one 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.

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 four hundred and eighty dollars.

For completing saw-mill, twenty-five thousand dollars.

For extending south pier one hundred feet, fifteen thousand dollars.

Washington.

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.

For machinery and tools, ninety thousand six hundred dollars.

For repairs of all kinds, sixty-one thousand six hundred dollars.

Norfolk.

Norfolk. — For railway track and cars, eight thousand dollars.

Navy 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.

Pensacola, Florida. — For muster office, ei[g]ht 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.

Mare Island, California. — For foundery 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, two thousand five hundred dollars.

For repairs of all kinds, fifty thousand dollars.

Hospitals.

HOSPITALS.

Boston.

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

New York.

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.

Laboratory, 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. 1864, ch. 30. Vol. xiii. p. 26.

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.

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

Norfolk.

Norfolk. — For repairs of buildings, appendages, roads, fences, rebuild ing 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.

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

Mare Island.

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

Miscellaneous.

MISCELLANEOUS.

Civil establishments at navy yards.

Pay of clerks at Portsmouth and Philadelphia.

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.

For testing the use of petroleum as a fuel under marine boilers, five thousand dollars. Petroleum as fuel.

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

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

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. 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. American Nautical Almanac.

NAVAL ASYLUM, PHILADELPHIA. Naval Asylum.

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, as per act of July seventeenth, eighteen hundred and sixty-two," 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. Amendment of act 1864, ch. 93, § 1. Vol. xiii. p. 85. Bounties for destruction of enemies' vessels.

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. No payments to those who do not take the oath. 1862, ch. 128. Vol. xii. p. 502.

Allowance to officers for rent of quarters, &c. 1835, ch. 27, § 2. Vol. iv. p. 757.

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.

Navy agents abolished.

Examinations for Naval Academy.

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.

Assistant in Bureau of Ordnance abolished.

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

Vacancies in grade of professor of mathematics not to be filled.

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

Survey of Behring's Straits, North Pacific, and China Seas. 1852, ch. 109, § 2. Vol. x. p. 104.

SEC. 8. *And be it further enacted*, That the act approved August thirty-first, eighteen hundred and fifty-two, for "surveys an[d] reconnoissances, 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 reconnoissances 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.

Transfer of appropriation to settle accounts of disbursing officer.

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.

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.*

Commissioners to ascertain amount of moneys expended by Missouri for State 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 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.

Authority of commissioners.

Clerk.

Items of expenditure to be examined.

What to be allowed.

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-

trict 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 co-operation with the authorities of the United States and subject to their orders. What not to be allowed.

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. Certain amounts to be stated separately. Amount of direct tax to be deducted. 1861, ch. 45. Vol. xii. pp. 292, 295.

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. Rate for service, &c.

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. Commissioners to make report, and transmit testimony to Secretary of Treasury. Account to be paid, if correct.

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. Commissioners to be sworn. Their pay.

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. Appropriation.

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.* April 17, 1866.

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. Gunboat to be transferred to republic of Liberia at a valuation,

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 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. LXIII. — *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.

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.

Appropriation of proceeds. Proviso.

Certain revenue cutters may be sold.

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.

Proceeds of sales.

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.*

American registers to the steamers Michigan, Dispatch, William K. Muir, and to other 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 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 Gananogue," 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 Margaretta, Ohio; the brigantine "City of Toronto," of Erie, Pennsylvania; and the schoone[r] "Wavertree," of Cleveland, Ohio; and American registers, 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 "Caledonia," and "Enterprise," of Detroit; and the "Anglo-Saxon," a Canadian-built vessel.

APPROVED, April 25, 1866.

CHAP. LXVIII.—*An Act making Appropriations to supply Deficiency in the Appropriation for the Public Printing for the Fiscal Year ending June thirty, eighteen hundred and sixty-six.* April 26, 1866.

Deficiency appropriation for public printing,

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 appropriation 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 otherwise appropriated:

paper for public printing,

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.

public binding.

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

Additional clerk.

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.* May 2, 1866.

Drafts or checks standing to the credit of any disbursing officer, and dated prior to July 1, 1863, and outstanding July 1, 1866, to be deposited, &c., and called "outstanding liabilities."

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 Treasurer of the United States, or by any disbursing officer of any department of the government of the United States, upon the Treasurer or any assistant treasurer, or designated depositary 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, eighteen hundred and sixty-three, and which were issued to facilitate the payment 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 Treasurer 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."

Certificate of register stating amount of draft, &c., attached to any warrant, to be sufficient voucher, &c.

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 Treasurer 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 thus 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

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.

Appropriation for the redemption of outstanding certificates, &c.

Payee of drafts, &c., to have payment upon presentation.

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.

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

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.

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

SEC. 5. *And be it further enacted*, That the amounts, except such as are provided for in the first section of this act, of the accounts of every kind of disbursing officer of the Government of the United States, which shall have remained unchanged, or which shall not have been increased by any new deposit thereto, nor decreased by drafts drawn thereon, for the space of three years, shall in like manner be covered into the treasury, to the proper appropriation to which they may belong, and the amounts thereof shall, on the certificate of the Treasurer of the United States that such amount has been deposited in the treasury, be credited by the proper accounting officer of the treasury on the books of the Treasury Department, to the officer in whose name it had stood on the books of any agency of the treasury, if it shall be made to appear that he is entitled to such credit.

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

SEC. 6. *And be it further enacted*, That for the purpose of giving force and effect to the full intent and meaning of this act, it shall be the duty of the Treasurer, and of all assistant treasurers, and of all designated depositaries of the United States, and of the cashiers of all national banks designated as such depositories, to report to the Secretary of the Treasury, at the close of business on the thirtieth day of June next, and in like manner at the close of business on every thirtieth day of June thereafter, the condition of every such account so standing, as in the preceding section specified, on the books of their respective offices, stating the name of each depositor, respectively, with his official designation, the total amount so remaining on deposit to his credit, and the dates, respectively, of the last credit and the last debit made to each of such accounts, respectively.

Report to state what.

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

And it shall be the duty of every and each disbursing officer in any and every department of the Government of the United States to make a like return of all checks issued by such officer, and which may then have been outstanding and unpaid for three years and more, stating fully in such report the name of the payee, for what purpose given, the office on which drawn, the number of the voucher received therefor, and the date, number, and amount for which it was drawn, and, when known, the residence of the payee.

APPROVED, May 2, 1866.

May 2, 1866.

CHAP. LXXI. — *An Act to remit and refund certain Duties.*

Duties remitted or refunded on produce in transitu when reciprocity treaty expired.

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.*

May 3, 1866.

See ch. 131. *Post*, p. 70.

Pay corps 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 passage 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 commissioned 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 eligible to appointment in the grade of assistant paymasters when they were appointed 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.

Appointment of paymasters, passed assistant paymasters, &c.

Examinations.

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, fifteen hundred dollars; on other duty, fourteen hundred dollars; on leave or waiting orders, twelve hundred dollars.

Bonds and pay of passed assistant paymasters.

APPROVED, May 3, 1866.

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

May 5, 1866.

Boundaries 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 consented 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 Nevada, 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 Nevada.

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 middle 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 east 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 further*, That all possessory rights acquired by citizens of the United States to mining claims, discovered, located, and originally recorded in compliance with the rules and regulations adopted by miners in the Pah-Ranagat and other mining districts in the Territory incorporated by the provisions of this act into the State of Nevada shall remain as valid subsisting 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.

State to give its assent.

Possessory rights to mining claims to remain valid.

Title in fee not granted.

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.*

Preamble.

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 —

International Ocean Telegraph Company to have sole privilege for fourteen years to lay and operate telegraph lines between Florida and Cuba, &c.

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.

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.

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. 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.*

Court of Claims to hear and determine certain 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.

Appeal.

Decree, and its effect.

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.* May 9, 1866.

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."

Levy Court may locate certain roads as public highways.

Damages.

1812, ch. 117, § 3. Vol. ii. p. 771.

APPROVED, May 9, 1866.

CHAP. LXXIX. — *An Act to incorporate the National Theological Institute.* May 10, 1866.

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.

National Theological Institute incorporated.

Act amended. See 1867, ch. 164. *Post*, p. 440.

Its powers.

Seal.

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.

Purposes of corporation.

Officers.

By-laws.

Property, and how used.

Amount of real estate.

Theological belief not to exclude.

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

Charter may be altered.

APPROVED, May 10, 1866.

May 11, 1866.

1863, ch. 81. Vol. xii. p. 755.

See 1867, ch. 27. *Post*, p. 385.

CHAP. LXXX. — *An Act to amend an Act entitled "An Act relating to Habeas Corpus, and regulating Judicial Proceedings in certain Cases," approved March third, eighteen hundred and sixty-three.*

Orders from proper officer to perform certain acts to be a defence to suits on account of such acts;

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 an amendment, be a defence to any suit or action for any act done or omitted to be done after the passage of this act.

1863, ch. 81, §§ 4–6. Vol. xii. pp. 756, 757.

but not for acts done after the passage of this act.

Order, how proved.

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.

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

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 empannelled 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.

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

Subsequent acts in State court, void.

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.

Damages.

Double costs.

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

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 being 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.

If clerk does not furnish copies, case may be docketed in U. S. Court, and plaintiff ordered to file declaration, &c. therein.

Nonsuit, &c.

APPROVED, May 11, 1866.

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

May 16, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, so soon as practicable after the passage of this act, there shall be coined at the mint of the United States a five-cent piece composed of copper and nickel, in such proportions, not exceeding twenty-five per centum of nickel, as shall be determined by the director of the mint, the standard weight of which shall be seventy-seven and sixteen hundredths grains, with no greater deviation 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 approval of the Secretary of the Treasury; and the laws now in force relating 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.

Five-cent pieces to be coined of copper and nickel.

Weight, shape, devices, &c.

Laws relating to coinage of cents, &c., to apply to this coinage.

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 authorized, whether said laws are penal or otherwise, for the security of the coin, regulating and guarding the process of striking and coining, for preventing debasement or counterfeiting, or for any other purpose. And the director of the mint shall prescribe suitable regulations to insure a due conformity 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.

Laws relating to coins extended to this act so far as applicable.

Regulations as to alloy.

SEC. 3. *And be it further enacted*, That said coin shall be a legal tender 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 former acts of Congress,) in suitable sums, by the treasurer of the mint, and by such other depositaries as the Secretary of the Treasury may designate, 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 hundred 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 cancelled.

To be legal tender to amount of a dollar.

To be paid in exchange for currency.

1857, ch. 56, § 2. Vol. xi. p. 163.

No fractional currency of less than ten cents to be issued, and old issues to be cancelled.

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

Unauthorized making, &c., of such coins punished.

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.

May be redeemed in sums of not less than one hundred dollars.

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.

CHAP. LXXXII. — *An Act imposing a Duty on live Animals.*

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.

Proviso.

APPROVED, May 16, 1866.

May 16, 1866.

CHAP. LXXXIII. — *An Act to change the Place of holding the Courts of the United States for the northern District of Mississippi.*

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.

1864, ch. 6, § 2. Vol. xiii. p. 420.

CHAP. LXXXIV. — *An Act to amend "An Act to establish the Grade of Vice-Admiral in the United States Navy."*

Vice-Admiral to have a secretary.

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."

Rank and pay of.

APPROVED, May 16, 1866.

May 18, 1866.

CHAP. LXXXV. — *An Act 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.*

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:

Transportation.

For transportation of the mails, (inland,) nine million five hundred and fifty thousand dollars.

For transportation of the mails, (foreign,) six hundred thousand dollars.

Ship, steamboat, &c., letters.

For ship, steamboat, and way letters, eight thousand dollars.

Compensation to postmasters.

For compensation to postmasters, four million two hundred and fifty thousand dollars.

Clerks for post offices.

For clerks for post offices, one million nine hundred and twenty thousand dollars.

Letter-carriers.

For payment to letter-carriers, six hundred and forty thousand dollars.

Wrapping paper and twine.

For wrapping paper, one hundred thousand dollars.

For twine, thirty thousand dollars.

Letter balances.

For letter balances, six thousand dollars.

Blank agents.

For compensation to blank agents and assistants, eight thousand dollars.

Furniture and advertising.

For office furniture, six thousand dollars.

For advertising, eighty thousand dollars.

Postage stamps and stamped envelopes.

For postage stamps and stamped envelopes, two hundred and fifty thousand dollars.

Depredations and special agents.

For mail depredations and special agents, one hundred thousand dollars.

Mail bags, locks, keys, &c.

For mail bags, one hundred and thirty thousand dollars.

For mail locks, keys, and stamps, thirty thousand dollars.

Foreign balances.

For payment of balances due to foreign countries, three hundred and fifty thousand dollars.

Miscellaneous payments.

For miscellaneous payments, three hundred and twenty thousand dollars.

Isthmus routes to the Pacific.

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.

Additional appropriation.

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.

Mail steamship service with Brazil; Proviso. 1865, ch. 98. Vol. xiii. p. 93.

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.

between San Francisco, Japan, and China.

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.

Overland mail and marine mail to California.

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

Sailing vessels may transport mails where, &c.

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.

Compensation.

Postmaster-General to report estimate for service of the department to Secretary of Treasury annually. Vol. ix. p. 108.

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. Vol. xiii. p. 79.

tion of one hundred thousand dollars under the thirteenth section of an act "to establish a postal money order system," approved May seventeenth, eighteen hundred and sixty-four, which may remain unexpended at the close of the current fiscal year, may be used as far as necessary to supply deficiencies in the proceeds of the money order system during the fiscal year commencing July first, eighteen hundred and sixty-six.

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

Charges.

Circulation how and when determined.

Charges.

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.

May 21, 1866.

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

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

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. 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.* May 21, 1866.

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. Railroad bridge at Rouse's Point declared a lawful structure, &c.

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. by whom to be maintained. Draws. Act may be altered or repealed.

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."* May 21, 1866.

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. Decisions of Supreme Court of the United States to be published in eight months, &c. 1842, ch. 264. Vol. v. p. 545.

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.* May 22, 1866.

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 session, 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 prescribed, 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, Circuit Court in Virginia to be held in Richmond, on, &c. may adjourn from Norfolk to Richmond. Process. Special, &c. 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.*

The academy of music of Washington, D.C. incorporated.

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.

Subscription books.

Seal and powers, &c. of corporation.

Directors.

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.

Meetings of stockholders, &c.

First election.

President.

Quorum.

If election is not held at regular time.

Vacancies.

Power of president and directors.

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.

Capital stock.

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 *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.

Refusal or neglect to pay instalments.

Stockholders in arrears not to vote.

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.

By-laws.

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.

Corporation may hold or lease real estate;

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.

may borrow money and issue bonds.

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.

Dividends.

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.

Transfers of stock.

SEC. 10. *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.

Act may be altered, &c.

APPROVED, May 24, 1866.

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

May 24, 1866.

1848, ch. 96. Vol. ix. p. 722.

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."

Charter of Washington Gas-light Company amended.

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.

Capital stock increased.

APPROVED, May 24, 1866.

May 26, 1866.

CHAP. C. — *An Act to authorize the Appointment of an additional Assistant Secretary of the Navy.*

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.

Duties and salary.

Office to last for six months.

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.

May 30, 1866.

CHAP. CII. — *An Act to repeal Section twenty-three of Chapter seventy-nine of the Acts of the Third Session of the Thirty-Seventh Congress, relating to Passports.*

1863, ch. 79, § 23. Vol. xii. p. 754.

Repeal.

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.

Passports to issue only to citizens.

APPROVED, May 30, 1866.

June 1, 1866.

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

Writs of attachment, &c., to be issued by clerk of Supreme Court of District, upon affidavit of plaintiff, &c., and giving surety for costs and damages;

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 said affidavit, the court shall determine whether the facts set forth in said plaintiff's affidavit are true, and that there was just ground for issuing said 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-

may be quashed upon defendant's filing counter affidavit and after hearing by the Court.

Issue when to be tried.

Attached property not to be discharged unless defendant gives surety, &c.

Judgment, if for plaintiff.

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 so'd before final judgment. Property attached may be sold.

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. Salaries of justices.

APPROVED, June 1, 1866.

CHAP. CIV. — *An Act to incorporate the Women's Hospital Association of the District of Columbia.* June 1, 1866.

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, Elmira W. Knap, Mary C. Havenner, Mary Ellen Norment, Jane Thompson, Maria L. Harkness, Isabella Margaret Washington, Mary F. Smith, Mrs. Elmira 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. Columbia hospital for women and lying-in asylum incorporated.

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. Members. Vacancies. By-laws.

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. Directors.

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. First board. Officers. Quorum.

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. Objects of 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. Corporation may hold real and personal estate.

SEC. 7. *And be it further enacted*, That the property, personal or real,

Property exempt from taxation.

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.

Act may be altered, &c.

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.*

Certain produce of the forests may be admitted free of duty.

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 unmanufactured 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.

When act takes effect.

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.*

Repeal of and substitute for.

1862, ch. 166. Vol. xii. p. 566. 1864, ch. 247, § 5. Vol. xiii. p. 387. 1865, ch. 84, § 3. Vol. xiii. p. 499.

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 less pension than hereinafter specified, who, while in the military or naval service and in line of duty, shall have lost the sight of both eyes, 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 attendance 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 so 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.

Persons losing both eyes, or both hands, &c., to have pension of $25 a month;

losing both feet, or hand and foot, &c., to have $20 a month.

Certain others to have $15 a month.

Any pledge or transfer of any pension, or interest therein, void.

Oath of attorney to receive money for pension.

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; and 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 said money, 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 said 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.

False swearing to be 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.

Presenting any power of attorney at any pension agency, or any voucher, bearing a date subsequent to actual date, how punished.

Money due or to become due any pensioner not liable to attachment.

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.

Fees of claim and pension agents.

Penalty.

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.

Repeal of law forbidding invalid pensioners to draw pensions while receiving full salary. 1865, ch. 84, § 1. Vol. xiii. p. 499.

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.

When heirs of persons entitled to invalid pensions may receive them.

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.

Pensions of officers dying after date of commission, but before being mustered.

Proviso.

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.

Absentees on sick leave or sick furlough.

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.

Period of service to extend to what time.

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.

Enlisted men, however employed, to be treated as non-commissioned officers or privates. 1864, ch. 247, § 1. Vol. xiii. p. 387.

Pensions when not allowed to widows abandoning their 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.

When orphan brother or sister may receive pension. 1862, ch. 166, § 4. Vol. xii. p. 567.

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.

1864, ch. 247, § 6. Vol. xiii. p. 388, not modified.

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 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 more than one pension 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.

No person to receive more than one pension at a time.

If claim for pension is not filed in three years, pension to commence from what date.

Repeal of 1864, ch. 247, § 14. Vol. xiii. p. 389.

Widows, &c., of colored soldiers, &c., may receive pensions, &c., upon what proof of marriage.

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.*

Appropriations for Military Academy.

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:

Pay, &c

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. Ordinary expenses.

For increase and expense of library, two thousand dollars. Library.

For expenses of board of visitors, three thousand dollars. Board of visitors.

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

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

For repairs of officers' quarters, five thousand dollars. Repairs.

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

For furniture for cadets' hospital, one hundred dollars.

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

For reflooring 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. Memorial tablets, &c.

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

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

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. Ventilation, heating, &c.

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

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. Who not to be appointed to 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.* June 8, 1866.

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: Deficiency appropriation for contingent expenses of the House of Representatives.

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.* June 12, 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 first day of July, eighteen hundred and sixty-six, prepaid and free letters shall Prepaid and free letters to be forwarded upon request, &c.

Dead letters.

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.

Letters to be returned to writers without charge. 1863, ch. 71, § 28. Vol. xii. p. 706. 1864, ch. 197, § 10. Vol. xiii. p. 337.

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.

Money orders for not over $50. 1864, ch. 87, § 3. Vol. xiii. p. 76.

Charges.

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.

Money order good for one year.

Duplicate in case of loss.

Oath.

SEC. 4. *And be it further enacted*, That a money-order shall be valid 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.

Railroads carrying the mails to convey printed matter, &c., without extra 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.

Wilful, &c., injury to mail matter deposited in letter box, &c., or aiding to injure, how punished.

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.

Postmaster-General may modify contract for postage stamps, if, &c.

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.

Readjustment of salaries of postmasters. 1864, ch. 197, § 2. Vol. xiii. p. 336.

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 centum 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 agent 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. Special collecting or disbursing agents to give bond.

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.* June 12, 1866.

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: Appropriations for fortifications.

For Fort Wayne, near Detroit, Michigan, fifty thousand dollars. Fort Wayne.

For Fort Ontario, Oswego, New York, fifty thousand dollars. Fort Ontario.

For Fort Montgomery, at outlet of Lake Champlain, New York, fifty thousand dollars. Fort Montgomery.

For Fort Scammel, Portland, Maine, thirty-five thousand dollars. Fort Scammel.

For Fort George, on Hog Island ledge, Portland, Maine, fifty thousand dollars. Fort George.

For Fort Popham, Kennebec river, Maine, fifty thousand dollars. Fort Popham.

For Fort Constitution, Portsmouth, New Hampshire, seventy-five thousand dollars. Fort Constitution.

For Fort Winthrop, Boston, Massachusetts, thirty thousand dollars. Fort Winthrop.

For Fort Warren, Boston, Massachusetts, twenty-five thousand dollars. Fort Warren.

For sea-wall at Great Brewster's island, Boston harbor, Massachusetts, seventy-five thousand dollars. Sea-wall at Great Brewster's;

For sea-walls on Deer and Lovell's islands, Boston harbor, Massachusetts, fifty thousand dollars. on Deer and Lovell's islands.

For fort at entrance of New Bedford harbor, Massachusetts, thirty thousand dollars. Fort at entrance of New Bedford Harbor.

For Fort Schuyler, East river, New York, thirty thousand dollars. Fort Schuyler.

For fort at Willett's Point, opposite Fort Schuyler, New York, fifty thousand dollars. Fort at Willett's Point.

For repairs of Fort Hamilton, New York, thirty thousand dollars. Fort Hamilton.

For fort on site of Fort Tompkins, Staten Island, New York, fifty thousand dollars. Fort Tompkins.

For fort at Sandy Hook, New Jersey, fifty thousand dollars. Fort at Sandy Hook.

For repairs of Fort Mifflin, near Philadelphia, twenty-five thousand dollars. Fort Mifflin.

For construction of permanent platforms for modern cannon of large calibre, in existing fortifications of important harbors, one hundred thousand dollars. Platforms for modern cannon of large calibre.

For repairs of Fort Washington, on the Potomac river, twenty thousand dollars. Fort Washington.

For Fort Monroe, Hampton Roads, Virginia, thirty thousand dollars. Fort Monroe.

For Fort Taylor, Key West, Florida, one hundred thousand dollars. Fort Taylor.

For Fort Jefferson, Garden Key, Tortugas, fifty thousand dollars. Fort Jefferson.

For fort on Ship island, coast of Mississippi, ten thousand dollars. Fort on Ship Island.

For Fort Clinch, Amelia island, Florida, fifty thousand dollars. Fort Clinch.

For fort at Fort Point, San Francisco bay, California, one hundred and twenty-five thousand dollars. Fort at Fort Point;

For fort at Lime Point, California, seventy-five thousand dollars. at Lime Point;

For fort at Alcatraz island, San Francisco bay, California, ninety thousand dollars. at Alcatraz Island.

Survey of northern and northwestern lakes.

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

Sites for permanent sea-coast defences.

Purchase not to be made until, &c.

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.*

Preamble.
1812, ch. 99.
Vol. ii. p. 748.
Vol. ii. p. 812, *note.*
Vol. xi. pp. 294, 442.
Vol. xii. p. 85.

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 —

District court may decree the title of the United States in certain lots in St. Louis to the person having the best claim.

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 wharf, street, lane, avenue, alley, or other public thoroughfare, or within the boundaries of any land which has been heretofore 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.

Certain property not to be released.

Not where full documentary evidence exists.

Proceedings to obtain a decree.

Who to be made defendants.

Minors.

Authority of district court.

Sec. 2. *And be it further enacted*, That every person desiring a *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.

United States made a party by delivery of copy of petition and process thereon to, &c.

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.

Defence, answer, pleadings.

Surveys, &c., to be made of lands sought to be released, at expense of petitioner.

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.

Costs of suits

Effect of decree.

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.

Transcript of final decree, &c., to be sent to commissioner of general land office.

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.

Appeal to circuit court within one year.

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.

Transcript of petition, &c.

Jurisdiction of circuit court.
Amendments.
New parties.

Decree.

Question may be certified to supreme court of the United States when, &c.

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.

Title of the United States in wharves, streets, &c., in St. Louis, conveyed to the city.

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.

Proviso.

APPROVED, June 12, 1866.

June 12, 1866.

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

Right of way through public lands granted to Humboldt Canal Company.

Be it enacted by the Senate and House of Representatives of the United States of America 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.

Proviso.

Certain public lands may be flowed to create a reservoir.

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.

Sites for wastegates, mill-sites, depots, &c.

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 wastegates, 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, wastegates, and other uses of said canal, before the appropriation thereof for said uses shall become operative: *And provided further*, That unless thirty miles of said canal shall be excavated within one year, [and] the whole within three years, from the date hereof, the grants hereby made shall cease and determine: *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.

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.

APPROVED, June 12, 1866.

June 14, 1866.

CHAP. CXXII. — *An Act to regulate and secure the Safe-Keeping of public Money intrusted to Disbursing Officers of the United States.*

Disbursing officers to deposit public moneys with the treasurer or some assistant treasurer, to draw only as required.

Transfers to be by draft.

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 the duty of every disbursing officer of the United States having any public money intrusted to him for disbursement, to deposit the same with the treasurer or some one of the assistant treasurers of the United States, and to draw for the same only as it may be required for payments to be made by him in pursuance of law; and all transfers from the treasury of the United States to a disbursing officer shall be by draft or warrant on the treasury or an assistant treasurer of the United States: *Provided*, That in places where there is no treasurer nor assistant treasurer of the United States, the Secretary of the Treasury may, when he deems it essential to the public interest, specially authorize in writing the deposit of such public money in any other public depository, or, in writing, authorize the same to be kept in any other manner, and under such rules and regulations as he may deem most safe and effectual to facilitate the payments to public creditors.

Deposits where to be made, if there is no treasurer or assistant.

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.

Depositing public money, or converting, or loaning, or drawing, or transferring the same except as authorized, to be embezzlement.

Penalty.

SEC. [3.] *And be it further enacted*, That if any banker, broker, or any person, not an authorized depositary 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.

Knowingly receiving from any disbursing officer or collector, any public money on deposit, or on a loan, or using such money for any unauthorized purpose, or aiding in so doing, to be deemed embezzlement.

Punishment of officers of banks for violating this act.

APPROVED, June 14, 1866.

CHAP. CXXIII. — *An Act to provide for the Settlement of Accounts of certain Public Officers.* June 15, 1866.

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.

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., how treated.

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

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.

CHAP. CXXIV. — *An Act to facilitate commercial, postal, and military Communication among the several States.*

Preamble.

Whereas the Constitution of the United States confers upon Congress, in express terms, the power to regulate commerce among the several States, to establish post roads, and to raise and support armies: Therefore: —

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every railroad company in the United States, whose road is operated by steam, its successors and assigns, be, and is hereby, authorized to carry upon and over its road, boats, bridges, and ferries, all passengers, troops, government supplies, mails, freight, and property on their way from any State to another State, and to receive compensation therefor, and to connect with roads of other States so as to form continuous lines for the transportation of the same to the place of destination: *Provided*, That this act shall not affect any stipulation between the government of the United States and any railroad company for transportation or fares without compensation, nor impair or change the conditions imposed by the terms of any act granting lands to any such company to aid in the construction of its road, nor shall it be construed to authorize any railroad company to build any new road or connection with any other road without authority from the State in which said railroad or connection may be proposed.

Existing contracts and conditions not affected.

New roads not authorized without authority from State.

This act may be amended, &c.

Sec. 2. *And be it further enacted*, That Congress may at any time alter, amend, or repeal this act.

Approved, June 15, 1866.

June 18, 1866.

CHAP. CXXVI. — *An Act to authorize the Commissioner of Patents to pay those employed as Examiners and Assistant Examiners the Salary fixed by Law for the Duties performed by them.*

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of patents is hereby authorized to pay those employed in the patent office from April first, eighteen [hundred] and sixty-one, until the first day of August, eighteen hundred and sixty-five, as examiners and assistant examiners of patents, at the rates fixed by law for these respective grades; *Provided*, That the same be paid out of the patent office fund, and that the compensation thus paid shall not exceed that received by those duly enrolled as examiners and assistant examiners of patents for the same period.

To be taken from patent office fund, &c.

Approved, June 18, 1866.

June 21, 1866.

CHAP. CXXVII. — *An Act for the Disposal of the Public Lands for Homestead Actual Settlement in the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida.*

All public lands in certain States to be disposed of only according to the provisions of the homestead law. 1862, ch. 75. Vol. xii. p. 392. 1864, ch. 38. Vol. xiii. p. 35.

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 all the public lands in the States of Alabama, Mississippi, Louisana, Arkansas, and Florida shall be disposed of according to the stipulations of the homestead law of twentieth May, eighteen hundred and sixty-two, entitled "An act to secure homesteads to actual settlers on the public domain," and the act supplemental thereto, approved twenty-first of March, eighteen hundred and sixty-four, but with this restriction, that until the expiration of two years from and after the passage of this

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.

No entry to be for more than 80 acres.

$5 to be paid on issue of patent.

No distinction for race or color.

Mineral lands excepted.

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, hereinbefore required, also make oath that he has not borne arms against the United States, or given aid and comfort to its enemies.

Mode of procedure in applying for the benefit of this act. 1862, ch. 75, § 2. Vol. xii. p. 392.

Affidavit.

Payment of $5.

No certificate to be given nor patent to issue, until after five years from entry.

Proof of residence or cultivation, &c.

Affidavit.

When rights enure to the benefit of infant children.

Executor, &c., may sell.

Title of purchaser.

Additional oath prior to January 1, 1867.

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.

Provisions of homestead law, &c., made applicable hereto.

APPROVED, June 21, 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 to aid in suppressing the Rebellion.*

Commissioners to ascertain the amount expended by West Virginia for State forces.

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.

Duty of commissioners.

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.

No allowance except for actual service.

Certain amounts to be stated separately.

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.

Amount of direct tax to be deducted. 1861, ch. 45. Vol. xii. p. 292.

Rate of allowance for expenditures or services.

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.

Commissioners to make report to Secretary of Treasury.

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.

Accounts to be audited, and what is found due, if anything, to be paid.

Commissioners to be sworn.

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.

Compensation.

Appropriation.

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.

For mode of disbursement, see 1867, ch. 10. Vol. xv. p. 6.

APPROVED, June 21, 1866.

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

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.

A hydrographic office to be attached to bureau of navigation in Navy Department. Purposes thereof.

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 books 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.

Maps, charts, &c., to be published and furnished to navigators at cost of printing and paper. Copyrights to be purchased.

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.

Money received from sales of maps, charts, &c., to be returned to treasury, and how used.

APPROVED, June 21, 1866.

CHAP. CXXX. — *An Act to incorporate the "Howard Institute and Home" of the District of Columbia.* June 21, 1866.

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.

The "Howard Institute and Home" of the District of Columbia incorporated.

Powers.

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.

Objects.

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.

Board of managers for one year.

Board to be afterwards elected.

Power of board.

Corporation to be established and maintained by gifts, &c.

Record thereof to be kept.

Annual report to Secretary of Interior.

Act may be altered, &c.

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.*

1866, ch. 72. *Ante*, p. 43.

Paymasters under the act of May 3, 1866, may be appointed from, &c.

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.

Examination of such officers as are on duty abroad may be waived; to be made after their return home.

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.*

Commander Charles Hunter to be restored to his rank in 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 23, 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.*

Appropriation for the repair, preservation, and completion of certain public works.

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:

Examinations and surveys.

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 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 harbors and places in the fourth section 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 cost of such improvements, and he shall make full report thereof, and of the plans deemed advisable therefor, to Congress, at the commencement of the next session, 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 sufficient information is now in the possession of the department, there shall remain an unexpended balance 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.

Re-examinations and changes in plans.

Examination of harbors, to determine improvements, &c., necessary to make them safe for navigation.

Report to Congress.

Application of certain unexpended balances.

Breakwater at Portland harbor, Me.

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

Hudson river.

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

Provincetown harbor.

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

Thames river.

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

Breakwater at Burlington, Vt.

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

Delaware breakwater.

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

Channel of Susquehanna river.

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

Patapsco river.

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

Snag-boats and other apparatus.

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.

Secretary of Navy to transfer, &c., to Secretary of War steamers, &c., suitable for use in raising snags, &c., from western rivers.

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 Secretary 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

Appropriation for purchase.

purchased by the Secretary of War, the amounts required for the payment therefor shall be taken from the appropriation aforesaid.

Mouth of the Mississippi.

For improving the mouth of the Mississippi river, seventy-five thousand dollars.

Mississippi, Missouri, Arkansas, and Ohio rivers.

For improvement of the Mississippi, Missouri, Arkansas, and Ohio rivers, five hundred and fifty thousand dollars.

Des Moines rapids.

For improvement of the Des Moines rapids, Mississippi river, two hundred thousand dollars.

Rock Island rapids.

For improvement of the Rock Island rapids, Mississippi river, one hundred thousand dollars.

Saint Clair flats.

For improvement of the Saint Clair flats, Michigan, eighty thousand dollars.

Saint Mary's river.

For improvement of the Saint Mary's river, between Lake Superior and Lake Huron, fifty thousand dollars.

Oswego harbor.

For improvement of Oswego harbor, New York, and preservation of the public works at that point, forty-five thousand dollars.

Little Sodus Bay harbor.

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.

Big Sodus Bay harbor.

For improvement at Big Sodus Bay harbor, Wayne county, New York, fifty-three thousand one hundred and fifty-one dollars and eighty cents.

Harbor of Genesee river.

For improvement at the harbor of Genesee river, New York, seventy-five thousand six hundred and seven dollars and thirty cents.

Harbor and sea-wall at Buffalo.

For improvement of harbor at Buffalo, New York, one hundred thousand dollars.

For completing the sea wall at Buffalo harbor, New York, thirty-one thousand dollars.

Improvement of harbor, &c., at Erie;

For improvement of harbor and repair of public works at Erie, Pennsylvania, thirty-six thousand nine hundred and sixty-one dollars.

Conneaut;

For improvement of Conneaut harbor, Ohio, twenty thousand five hundred and thirteen dollars and seventy-four cents.

Ashtabula;

For improvement of Ashtabula harbor, Ohio, twenty-four thousand seven hundred and eight dollars and eighty-two cents.

Grand river;

For improvement of harbor at Grand river, Ohio, twenty-four thousand and seventy-two dollars.

Cleveland;

For improvement of harbor at Cleveland, Ohio, fifty-nine thousand eight hundred and six dollars.

Black river;

For improvement of harbor at Black river, Ohio, ten thousand dollars.

Vermillion;

For improvement of harbor at Vermillion, Ohio, fifteen thousand three hundred and fifteen dollars and seventy-four cents.

Huron;

For improvement of harbor at Huron, Ohio, thirty-nine thousand dollars.

Sandusky;

For improvement of harbor at Sandusky City, Ohio, thirty-eight thousand five hundred and eighty dollars.

Toledo;

For improvement of the harbor at Toledo, Ohio, twenty thousand dollars.

Monroe;

For improvement of the harbor at Monroe, Michigan, thirty-one thousand and fifteen dollars and twenty-seven cents.

Aux Becs Scies, Frankfort;

For improvement of harbor at Aux Becs Scies, Frankfort, Michigan, eighty-eight thousand five hundred and forty-one dollars.

Grand Haven;

For improvement of harbor at Grand Haven, Michigan, sixty-five thousand dollars.

Black Lake;

For improvement of harbor at Black Lake, Michigan, fifty-five thousand six hundred and fifteen dollars and thirty-one cents.

Saint Joseph;

For improvement of harbor at Saint Joseph, Michigan, six thousand dollars.

Saginaw river;

For improvement at the mouth of Saginaw river, Michigan, sixty-seven thousand five hundred dollars.

Chicago;

For improvement of harbor at Chicago, Illinois, eighty-eight thousand seven hundred and four dollars.

Kenosha;

For improvement of harbor at Kenosha, Wisconsin, seventy-five thousand four hundred and sixty-one dollars and forty-one cents.

For improvement of harbor at Racine, Wisconsin, twenty-three thousand nine hundred and ten dollars. Improvement of harbor at Racine;

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

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

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

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. Marcus Hook; Title to be examined;

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

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. Michigan City. *Post*, p. 421. Amount to be expended by Michigan City Harbor Company. Vessels not subject to toll.

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

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

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

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 benefitted 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. Appropriation to be so 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. Report to state what; to be continued until works are 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 Separate proposals and contracts for each work and each class of works, &c.

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.

Disbursing officers except, &c., to give bonds.

United States officers not to receive commissions.

Appropriations to be at the disposal of Secretary of War.

Examinations or surveys, or both to be made at various points, and purposes of the examination.

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 Buffinton 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 Zambro river, Minnesota; at the Cannon river, Minnesota; at the harbor and the mouth of the Eighteen-mile creek, at Olcott, 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.

Estimates of cost.

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.*

Commissioners to revise and consolidate the general, &c., statutes 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, which shall be in

force at the time such commissioners may make the final report of their doings.

Duties of the commissioners.

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.

Copy of their completed work to be submitted to Congress in print.

Suggestions.

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.

Work may be printed in parts.

Report to Congress.

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.

Revision when to be completed.

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.

Compensation of commissioners.

Clerical service and incidental expenses.

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.

CHAP. CXLI.—*An Act making further Provisions for the Establishment of an Armory and Arsenal of Construction, Deposit, and Repair on Rock Island, in the State of Illinois.*

June 27, 1866.

See Pub. Res. No. 54.

Post, p. 573.

Position of railroad across Rock Island and the bridge across the river to be established.

Permanent location and right of way.

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

Terms and conditions.

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

Pecuniary and other aid to be given. Wagon road.

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.

1864, ch. 60. Vol. xiii. p. 50.

Small Islands adjacent to Rock Island.

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.

Appropriations.

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

For claims for property taken for military purposes.

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.

Water power.

To secure water-power at the head of Rock Island, one hundred thousand dollars.

Storehouses, &c.

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.

CHAP. CXLII.—*An Act to amend an Act entitled "An Act to authorize the Sale of Marine Hospitals and Revenue Cutters," approved April 20th, 1866.*

1866, ch. 63. *Ante*, p. 40.

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[r]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.

Certain marine hospitals not to be leased or sold.

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

Fee for appeal for first time from decision of

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. examiner in patent office, &c.

APPROVED, June 27, 1866.

CHAP. CXLIV. — *An Act to establish a Land Office in the Territory of Idaho.* 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. Idaho land district established. Location. Register and receiver. Duties, pay, &c.

APPROVED, June 27, 1866.

CHAP. CLV. — *An Act amendatory of the organic Act of Washington Territory.* June 29, 1866.

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. Sessions of legislature in Washington Territory to be biennial. Term of office and pay of members of the council and house.

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. Enrolling clerk for each house. Pay of chief clerks and other officers.

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. Time of first biennial election.

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. The act of the legislature relating to Skamania county is disapproved.

APPROVED, June 29, 1866.

CHAP. CLVI. — *An Act to create the Office of Surveyor-General in Idaho Territory.* June 29, 1866.

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. Surveyor-general for Idaho. Salary. Duties. Allowances. Office at Boise City.

APPROVED, June 29, 1866.

July 3, 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 fourth section of an act entitled "An act making a grant of alternate sections of the public lands to the State of Michigan, to aid in the construction of certain railroads in said State, and for other purposes," approved 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 Rail 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.

Act of 1856, ch. 44, § 4. Vol. xi. p. 22, revived and extended for seven years.

Grants to be in full force, provided, &c.

The Amboy, &c., Railroad to forfeit the grant, unless, &c.

Twenty miles of road-bed to be completed by Feb. 1, 1867. See *Post*, p. 425.

Road to be finished for trains to, &c., by Nov. 1, 1867.

Twenty other miles to be completed each year.

If conditions are not performed, the State of Michigan may confer the grant upon some other railroad corporation.

Such grant not to affect any previous grant.

Limit to amount of land to be received.

Control of legislature over the lands.

If legislature does not confer the grant, lands to 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.

Flint, &c., railroad company may change its western terminus.

Railroads with land grants may construct a single line of road for any part of their routes.

Locations may be changed for purpose of consolidation.

Maps of change to be filed in land office.

Route, &c., of Amboy, &c., railroad.

Principal depot.

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.

Lands granted in aid of the Amboy, &c., road, how to be disposed of.

When ten miles are completed, &c.

Proviso.

Road to be a public highway, and free to the United States.

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

Repealing clause.

APPROVED, July 3, 1866.

CHAP. CLIX. — *An Act to amend an Act entitled "An Act to amend 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 1, 1862," approved July 2, 1864.*

July 3, 1866.

1862, ch. 120. Vol. xii. p. 489. 1864, ch. 216. Vol. xiii. p. 356.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Union Pacific Railway Company, eastern division, is hereby authorized to designate the general route of their said road and to file a map thereof, as now required by law, at any time before the first day of December, eighteen hundred and sixty-six; and upon the filing of the said map, showing the general route of said road, the lands along the entire line thereof, so far as the same may be designated, shall be reserved from sale by order of the Secretary of the Interior: *Provided*, That said company shall be entitled to only the same amount of the bonds of the United States to aid in the construction of their line of railroad and telegraph as they would have

Union Pacific Railway Company to designate general route of road, &c., before Dec. 1, 1866.

Lands on line of road to be then reserved from sale.

Amount of bonds to be the same as if, &c.

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.

Point of connection with Union Pacific Railroad.

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 expeditious 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.

Location of Union Pacific Railroad Company from Omaha westward;

of Central Pacific Railroad Company eastward.

Work may be done on not over 300 miles in advance of 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.

Lands granted to Michigan to aid in the construction of ship canal between Lake Superior and Lac La Belle.

Amount, and where to be selected.

Size of canal, and depth of water.

Canal to be a public highway, and be free to 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-

Lands, how to be disposed of by Michigan;

when to be withdrawn from market.

stantial, 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.

Patents when to issue.

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.

If canal is not completed in two years, lands to revert.

APPROVED, July 3, 1866.

CHAP. CLXI. — *An Act granting Lands to the State of Michigan to aid in the Construction of a Harbor and Ship Canal at Portage Lake, Keewenaw Point, Lake Superior, in said State.*

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.

Lands granted to Michigan for a harbor and ship canal at Portage Lake. Amount.

How to be selected.

To whose use to inure.

Time for completing work extended. 1865, ch. 102, § 5. Vol. xiii. p. 520.

Mineral lands not granted.

APPROVED, July 3, 1866.

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

July 3, 1866.

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 nitro-glycerine, 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.

The transportation, &c., of nitro-glycerine, &c., forbidden.

Penalty. One half of fine to 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-

If the death of any person is caused by the explosion of nitro-glycerine, &c., while transported, &c., persons knowingly

concerned therein to be guilty of manslaughter.

ported, carried, or conveyed, or while the same is being removed from such ship, steamship, steamboat, vessel, car, wagon, or other vehicle, every person who knowingly placed or aided, or permitted the placing of the said substance upon or in such ship, steamship, steamboat, vessel, car, wagon, or other vehicle, to be so transported, carried, or conveyed, shall be deemed guilty of manslaughter, and on conviction thereof shall suffer imprisonment for a period not less than two years.

Punishment.

Those substances not to be carried, unless enclosed, &c.

Sec. 3. *And be it further enacted*, That it shall not be lawful to ship, send, or forward any quantity of the said substances or articles, or to transport, convey, or carry the same by a ship, boat, vessel, vehicle, or conveyance, of any description, upon land or water, between a place in a foreign country and a place within 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, unless the same shall be securely enclosed, deposited or packed in a metallic vessel surrounded by plaster of paris, or other material that will be non-explosive when saturated with such oil or substance, and separate from all other substances, and the outside of the package containing the same, be marked, printed, or labelled in a conspicuous manner with the words "Nitro-Glycerine, Dangerous"; 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 five thousand dollars, at the discretion of the court, one half to the use of the informer.

Package, how to be marked.

Penalty. One half of fine to the informer.

District court to have jurisdiction of offences under this act.

Sec. 4. *And be it further enacted*, That the district court of the United States within the district in which any offence against this act shall be committed, or if committed in or upon any ship, boat, vessel, or vehicle, beyond the territorial limits of any district, then within the district from which the same departed, or that in which it shall first arrive, shall have jurisdiction to try and punish the offender under the provisions of this act.

Rights of States, &c., to regulate or prohibit traffic or transportation thereof not affected.

Sec. 5. *And be it further enacted*, That this act shall not be so construed as to prevent any State, Territory, District, city, or town within the United States from regulating or from prohibiting the traffic in or transportation of the said substances between persons and places lying or being within their respective territorial limits, or from prohibiting its introduction into such limits for sale, use, or consumption therein.

Approved, July 3, 1866.

July 3, 1866.

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

Bounty to members of thirty-seventh regiment Iowa volunteer infantry.

In case of death, &c.

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.*

Additional land district in Oregon established.

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.

Boundaries and location of districts and offices may be changed.

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.

Register and receiver. Residence. Pay and fees.

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.*

July 4, 1866.

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 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 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.

Lands granted to Missouri for extension of Iron Mountain railroad.

Alternate sections.

If any of the lands have been before granted or pre-empted, other lands to be selected in lieu thereof.

Lands to be in Ironton land district, and within twenty miles of the road.

Mineral lands, except coal and iron, reserved.

Right of way granted.

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 granted to Arkansas for extension of railroad to Helena.

Alternate sections.

ernor 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.

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.

SEC. 3. *And be it further enacted*, That the sections and parts of sections of land which shall remain to the United States within ten miles on either side of said road, and the even sections and parts of sections corresponding to the odd ones selected within twenty miles of the same, shall not be sold for less than double the minimum price of the public lands when sold, nor shall any of the said lands become subject to 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 the 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 provisions of the homestead law, who comply with the terms and requirements of *this* [said] act, shall be entitled to patents for an amount not exceeding eighty acres each, anything in this act to the contrary notwithstanding.

Sections of land remaining to the United States not to be sold for less than double minimum price; to be first offered at public auction.

Bona fide settlers under pre-emption laws.

Settlers under homestead law.

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.

These railroads to be public highways, and free for the United States;

to be built in five years.

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

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.

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.

Where the governor shall certify that other sections are completed;

that whole road is completed.

Lands not to be granted on account of the construction of certain railroads.

Vested rights not affected.

Lands when to 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.

When maps are filed, lands to be withdrawn from market.

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.

Arkansas to have no title to or power over the granted lands until restored to former relations.

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.

Appropriation by Nevada of land for educational purposes 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.

Lands granted for a university;

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.

for an agricultural college. 1862, ch. 130. Vol. xii. p. 503.

Theory and practice of mining may be taught.

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

Surveyor-general for Nevada. Location of office. Pay. Duties, &c. Allowances.

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.

Lines of subdivisions may be changed from rectangular. Mineral lands reserved.

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.

Public lands in the State not to be subject to entry, &c., until the State has her full quota. 1862, ch. 75. Vol. xii. p. 392. Mode of selecting and disposing of lands by the State. City and town property. Vested rights not affected.

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 Acquinna Bay.*

Lands granted to Oregon for a military road; how to be applied and disposed of. Lands heretofore reserved not granted hereby. Right of way.

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 Acquinna 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 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.

Lands, how to be disposed of. Road to be a public highway, and free to the United States. Construction of road.

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 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.

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.*

July 4, 1866.

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, for the purposes aforesaid, 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 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 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.

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.

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-

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.

Lands granted, how to be disposed of.

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.

Railroads to be public highways, and free to the United States.

Lands, how to be disposed of.

When governor shall certify that a section of ten consecutive miles is completed;

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 manner 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 completed 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 coterminous 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 upon 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 patents 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 completed within ten years from the acceptance of this grant, the said lands hereby granted and not patented shall revert to the United States

proviso;

that another section of ten consecutive miles is completed;

that additional sections are completed;

that roads are completed.

Roads to be completed in ten years; if not, unsold lands to revert to the United States.

When maps are filed, lands granted hereby to be withdrawn from market.

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.

Mail to be carried over road, and at what price.

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 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 rate of compensation.

APPROVED, July 4, 1866.

July 4, 1866.

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

Unsold lots of Fort Howard Military reserve to be offered at public auction.

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.

Notice of sale.

Mode of sale.

SEC. 2. *And be it further enacted*, That it shall be the duty of the President 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.

Patents to issue.

APPROVED, July 4, 1866.

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

July 5, 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 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 sections per mile, to be selected within six miles of 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 purpose whatever: *And provided, 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.

Lands granted to Oregon for military wagon road.

Route of road.

Lands granted, how to be applied.

Lands heretofore reserved, not granted hereby.

Right of way.

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 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.

Lands, how to be disposed of.

Roads to be public highway, and free to 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.

Construction of road.

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.

Lands, how to be disposed of.

If road not completed in five years, unsold lands to revert to the United States.

APPROVED, July 5, 1866.

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.

Officers and men of certain regiments, &c., of Ohio Volunteer Militia to be paid.

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.

July 13, 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:

Army appropriation.

Recruiting and pay of citizen surgeons.

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

Pay.

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

Commutation of subsistence and forage.

For commutation of officers' subsistence, one million six hundred and fifty-one thousand five hundred and eleven dollars and fifty cents.

For commutation of forage for officers' horses, one hundred and five thousand two hundred dollars.

Payments in lieu of clothing.

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.

Subsistence in kind.

For subsistence in kind for regulars and volunteers, five million three hundred and one thousand six hundred and twenty-five dollars.

Quartermasters' department.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices; of 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.

Incidental expenses quartermasters' department.

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-

1802, ch. 9, §§ 21, 22. Vol. ii. p. 136.

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 employed 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 companies 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 department, one million dollars.

1819, ch. 45. Vol. iii. p. 488. 1854, ch. 247, § 6. Vol. x. p. 576.

1838, ch. 162, § 10. Vol. v. p. 257

For the purchase of cavalry and artillery horses, seven hundred and thirteen thousand one hundred dollars.

Cavalry and artillery horses.

For transportation of officers' baggage, fifty thousand dollars.

Officers' baggage.

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 ordnance, 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 disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring 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.

Transportation.

Public transports.

Water.

Obstructions in roads, rivers, and harbors.

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 temporary huts, hospitals, and stables, and for repairing public buildings at established posts, six hundred and twenty-four thousand and thirty-eight dollars.

Hire of quarters.

For contingencies of the army, one hundred thousand dollars.

Contingencies of the army.

For the medical and hospital department, five hundred thousand dollars.

Medical and hospital department.

For repairs, improvements, and new machinery at the national armory, one hundred thousand dollars.

National armory.

For repairs and improvements at arsenals, including new, and additions to present, buildings, and machinery, tools, and fixtures, fifty thousand dollars.

Arsenals.

Magazine for storing gunpowder.

For purchase of site and erection of magazine for storing gunpowder, two hundred thousand dollars.

Enlarging Watervleit arsenal.

For the purchase of land for enlarging the Watervleit arsenal, thirty thousand dollars.

Fire-proof buildings at Schuylkill arsenal, Pa.

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.

Appropriation for bureau of refugees, freedmen, and abandoned lands.

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:

Salaries of commissioners and assistants.

The salaries of assistant and sub-assistant commissioners, one hundred and forty-seven thousand five hundred dollars.

Clerks.

For salaries of clerks eighty-two thousand eight hundred dollars.

Stationery and printing.

For stationery and printing, sixty-three thousand dollars.

Quarters and fuel.

For quarters and fuel, fifteen thousand nine hundred dollars.

Clothing for distribution.

For clothing for distribution, one million one hundred and seventy thousand dollars.

Commissary stores.

For commissary stores, three million one hundred and six thousand two hundred and fifty dollars.

Medical department.

For medical department, five hundred thousand dollars.

Transportation.

For transportation, one million three hundred and twenty thousand dollars.

School superintendents.

For school superintendents, twenty-one thousand dollars.

School-houses.

For repairs and rent of school-houses and asylums, five hundred thousand dollars.

Telegraphing.

For telegraphing, eighteen thousand dollars.

Advertisements for bids for contracts in quartermaster's department, to state, &c.

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.

Preference to articles of American production.

Pacific Coast.

Advertisements in San Francisco and Portland.

Repeal of 1862, ch. 200, § 17. Vol. xii. p. 596. and of Pub. Res. of April 4, 1862. Vol. xii. p. 617.

Officers in military or naval service, in time of peace, not to be dismissed, except, &c.

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.

Superintendent and officers of military academy may be selected and detailed from any arm of the service.

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.

Soldiers employed as artificers or laborers in constant labor of not less than ten days in any case to have extra pay.

Troops of engineer and ordnance department not to have extra pay.

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.

Allowance to officers for travel increased.

APPROVED, July 13, 1866.

CHAP. CLXXVII.—*An Act relating to Pilots and Pilot Regulations.*

July 13, 1866.

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.

No State shall make discrimination in rates of pilotage of certain vessels.

Existing discriminations 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.*

July 13, 1866.
1864, ch. 79.
Vol. xiii. p. 64.

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.

If land intended to be granted is deficient by reason of nearness of boundary line of the State, how deficiency may be made up.

Odd sections.

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.*

July 13, 1866.

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 order of the Secretary of War, the same as persons belonging to the army and

Civilians in quartermaster's and subsistence departments may be admitted to Insane Asylum, if, &c.

navy, 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.

What classes of persons and under what circumstances may be admitted to the asylum.

SEC. 2. *And be it further enacted*, That the following classes of persons, under the following circumstances, shall be entitled to admission to said asylum on the order of the Secretary of War, if in the army, or the Secretary of the Navy, if in the navy, to wit:

Men formerly admitted, &c.

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.

Indigent insane, &c.

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.*

Whitehall, N. Y., made a port of delivery in collection district of Champlain.

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, 1865.

1865, ch. 81, § 4. Vol. xiii. p. 497.

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.*

Three months' pay to officers of volunteers below the rank of brigadier-general.

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.*

Right of way granted to the Placerville and Sacramento Railroad Company, for railroad and telegraph.

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, machine-shops, switches, side tracks, turn-tables, and water stations.

Material for construction.

Stations, workshops, &c.

SEC. 2. *And be it further enacted*, That there be, and is hereby, granted to the Placerville and Sacramento Valley Railroad Company, its 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 route of said line of railway, 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 coal.

Lands granted to said railroad company to aid in the construction of the road, &c.

Certain lands exempted from the grant.

"Mineral" not to include iron or coal lands.

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 commissioners 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 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, situated opposite to and coterminous 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 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, 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.

Lands, when and how to be vested in the company.

Ten consecutive miles, &c.

Commissioners.

Pay of commissioners.

SEC. 4. *And be it further enacted*, That said Placerville and Sacramento Valley railroad shall be constructed in a substantial and workmanlike manner, with all the necessary drains, 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, manufactured from American iron, and a uniform gauge shall be established the entire length of the road. And there shall be constructed a 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 or com-

Railroad and telegraph, how to be constructed.

Rates for telegraphic service.

Road to be a public highway, and free to the United States.

pany owning or operating the same when required by the United States to do so.

Lands on both sides of the line of the road to be surveyed, and the odd numbered sections reserved.

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, 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.

1841, ch. 16. Vol. v. p. 453.

1862, ch. 75. Vol. xii. p. 392.

Minimum price of lands remaining to the United States.

Conditions of grant.

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.

Work to be begun in one year and finished by July 4, 1869.

If any condition remains broken for one year, title to lands reverts 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 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.

Who may subscribe to the stock of the company.

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.

Company to accept the conditions of this act in writing and within a year.

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.

Company may accept and hold grants, donations, &c.

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.

This act to be void unless $400,000 of bona fide subscriptions to stock are obtained, and five per cent paid in one year.

SEC. 11. *And be it further enacted*, That unless the said Placerville and Sacramento Valley Railroad Company shall obtain bona fide subscription 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.

Act may be altered or repealed.

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.

Lots in villages, towns, and cities exempted from this act.

APPROVED, July 13, 1866.

CHAP. CLXXXIII. — *An Act relating to Lands granted to the State of Minnesota to aid in constructing Railroads.*

July 13, 1866.

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.

Lands may be selected by Minnesota in lieu of lands sold or disposed of within limits of grants

Amounts granted not limited hereby. 1864, ch. 79. Vol. xiii. p. 64.

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.

Time for completing railroad from St. Paul, &c. extended.

1857, ch. 99, § 4. Vol. xi. p. 196.

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.

Lands granted, how to be certified and disposed of.

If original grant has been increased.

State may sell, &c.

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.

Lands granted to the State, on any ten miles of road, not to be disposed of until, &c.

SEC. 5. *And be it further enacted*, That so much of any act as conflicts with the provisions of this act is hereby repealed.

Repeal of inconsistent laws.

APPROVED, July 13, 1866.

July 13, 1866.

1864, ch. 173. Vol. xiii. p. 223. 1865, ch. 78. Vol. xiii. p. 469. 1867, ch. 169, § 10. *Post*, p. 475.

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 thirtieth, 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 hereinafter 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.

Unmanufactured cotton to pay a tax of three cents a pound.

By whom to be paid.

Weight, how ascertained.

Tax a lien.

No drawback when, &c.

No tax upon cotton imported.

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.

Tax, how levied and paid.

Collector to mark bales on which tax is paid, and give permit for removal.

Permit to state what.

Collector to keep records of inspections and permits, and to make returns monthly.

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 an assistant 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.

Place to be designated where cotton may be brought to be weighed and marked.

Revenue officers may go to mark cotton, if expenses are paid.

SEC. 4. *And be it further enacted*, That all cotton having been weighed and marked as herein 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

Cotton weighed and marked, &c. may be removed to another district upon execution of transportation bonds, &c.

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.

Cotton to be delivered to collector on arrival and kept until tax is paid, which must be in ninety days.

Assessor to notify collector of permits granted when tax is not paid, &c.

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 each bale or package thereof shall have attached to or accompanying it the proper marks or evidence of the payment of the revenue tax and a permit of the collector for such removal, or the permit of the assessor, as hereinbefore provided, under regulations of the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, or to convey or transport any cotton from any State in which cotton is produced to any port or place in the United States without a certificate from the collector of internal revenue of the district from which it was brought, and such other evidence as the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, may prescribe, that the tax has been paid thereon, or the permit of the assessor as hereinbefore provided, and such certificate and evidence as aforesaid shall be furnished to the collector of the district to which it is transported, and his permit obtained before landing, discharging, or delivering such cotton at the place to which it is transported as aforesaid. And any person or persons who shall violate the provisions of this act in this respect, or who shall convey or attempt to convey from any State in which cotton is produced to any port or place without the United States any cotton upon which the tax has not been paid, shall be liable to a penalty of one hundred dollars for each bale of cotton so conveyed or transported, or attempted to be conveyed or transported, or to imprisonment for not more than one year, or both; and all vessels and vehicles employed in such conveyance or transportation shall be liable to seizure and forfeiture, by proceedings in any court of the United States having competent jurisdiction. And all cotton so shipped or attempted to be shipped or transported without payment of the tax, or the execution of such transportation bonds or other security, as provided in this act, shall be forfeited to the United States, and the proceeds thereof distributed according to the statute in like cases provided.

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.

Penalty.

Fine.

Imprisonment.

Vessels and vehicles and cotton forfeited.

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

Drawback upon manufactures exclusively of cotton.

Amount of drawback;

how to be ascertained.

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.

Repeal of part of 1864, ch. 173, § 171. Vol. xiii. p. 302.

Manufacturers of cotton in district of production to make monthly statement to assessor under oath.

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 excise 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 payment of the tax to be assessed thereon, shall forfeit to the United States all cotton and all products of cotton in his possession, and shall be liable to a 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.

First statement when to be made and what to state.

Subsequent statements.

Books to be kept and entries made therein;

to be open to the inspection of revenue officers.

Tax to be paid monthly.

Penalty for neglecting to make returns or keep books, or making false returns, &c.; cotton, &c. to be forfeited; fine, or imprisonment.

False oath, &c., in this matter to be perjury.

Tax on manufactured goods not affected.

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-

Provisions of law concerning the collection, &c., of taxes, &c., applicable to the tax on cotton, &c

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, weighers, 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.

Rules and regulations.

Appointment of inspectors, weighers, and markers, &c.

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:

Amendments to act of 1864, ch. 173.

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 extortion or wilful 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.

Section 5.

Penalty upon inspectors, &c. for extortion or oppression.

Fine; imprisonment; dismissal from office; disqualification, &c.

One half of fine to the United States and one half to informer.

That section eight be amended by striking out of said section all after the words "until an appointment filling the vacancy shall be made."

Section 8.

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-

Section 14.

Assistant assessors when to notify persons to render lists.

If persons neglect to render lists, or render false lists, assessor may summon them to appear, produce books, &c.

Assessor may summon witnesses.

If persons do not reside, &c., in State, assessor may enter any district where, &c., and make examination.

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 there have and may exercise all the power and authority he has or may lawfully exercise in the district for which he is commissioned.

Summons how served.

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;

Certificate of service to be evidence.

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

Description of books.

shall be sufficient if such books are described with reasonable certainty.

Penalty for neglecting, &c. to obey summons, &c.

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

Attachment for contempt, &c.

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.

Assessors to enter premises, take views, and make up lists.

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

100 per cent to be added to tax for false lists, and 50 per cent for neglect, &c.

centum to such tax; and in case of a refusal or neglect, except in cases of sickness or absence, to make a list or return, or to verify the same as aforesaid, he shall add fifty per centum to such tax; and in case of neglect

Further time.

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

Amount added, how to be collected.

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.

Section 19.

That section nineteen be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That the assessor

Assessors to advertise when taxes may be paid;

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 collec-

to post notices.

tion 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

Appeals.

time and place within said collection district when and where appeals will

be received and determined relative to any erroneous or excessive valuations, 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 appeals as aforesaid, to submit the proceedings of the assessor and assistant assessor, and the annual lists taken and returned as aforesaid, to the inspection 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 hearing of appeals by parties who shall appear voluntarily before him: *Provided*, 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 particular 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 increased without a previous notice of at least five days to the party interested 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 business 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.

Returns may be inspected.

Appeals may be determined in a summary way;

not to be allowed after, &c.;

to be in writing and state what.

Reassessments.

No increase, except after notice.

Witnesses and books.

Costs and how paid.

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 taxation 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 payable, 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 principal place of business. And in all other cases the said assessor shall

Section 20.

Assessors when to make lists.

Lists to contain what.

Property of non-residents.

Lists to be sent to collector in ten days after, &c.

furnish 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.

Special lists may be made within, &c., of property omitted, or understated, &c.

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, or 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 afore-said, 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, undervaluation, 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.

Other provisions of law to apply.

And all 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.

"Duty" to mean "tax."

And wherever the word "duty" is used in this act, or the acts to which this is an amendment, it shall be constructed 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

Pay of assessors.

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

Commissions.

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

Limit of salary.

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

Office rent, and account thereof.

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,

Clerk-hire, and account therefor.

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 asse[sse]d 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-

Affidavit of clerk.

Chief clerk may administer certain oaths.

Assistant assessors. Pay, &c.

See *Post*, p. 473.

Office rent, &c.

See *Post*, p. 473.

When employed outside of place of residence.

Stationery, blank books, postage, &c.

Accounts, how made and verified.

Bids and contracts for supplying stationery, &c.

Additional compensation to assessors and assistants, &c., in certain districts; not to exceed $5000 a year.

Collectors acting as disbursing officers to be allowed bills heretofore paid.

Section 24.

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.

Commissions of assessors and collectors in districts whence and to which cotton and distilled spirits are shipped, &c.

See *Post*, p. 473.

Section 26.

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.

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.

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, then 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 issue to such person a notice, to be left at his dwelling or usual place of business, or be sent by mail, demanding the payment of said taxes, stating the amount thereof 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

Collectors to give notice 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.

or other taxes shall not be paid within ten days from and after such notice 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, including 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 distrained, a copy of which, signed by the officer making 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 newspaper within the county wherein said distraint is made, if there is a newspaper 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 distrained, and in not less than two other public places, which notice shall specify the articles distrained, 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 possessor 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 until paid, with the interest, penalties, and costs that may accrue in addition thereto, upon all property and rights to property belonging to such person, 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 transfer, 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, possession 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 restored 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.

aforesaid, the said officers shall proceed to sell the said goods, chattels, or effects at public auction, and shall retain from the proceeds of such sale the amount demandable for the use of the United States, and a commission of five per centum thereon for his own use, with the fees and charges for distraint and sale, rendering the overplus, if any there be, to the person who may be entitled to receive the same: *Provided further*, That there shall be exempt from distraint and sale, if belonging to the head of a family, the school-books and wearing apparel necessary for such family; also arms for personal use, one cow, two hogs, five sheep and the wool thereof, provided the aggregate market value of said sheep shall not exceed fifty dollars; the necessary food for such cow, hogs, and sheep for a period not exceeding thirty days; fuel to an amount not greater in value than twenty-five dollars; provisions to an amount not greater than fifty dollars; household furniture kept for use to an amount not greater than three hundred dollars; and the books, tools, or implements of a trade or profession to an amount not greater than one hundred dollars shall also be exempt; and the officer making the distraint shall summon three disinterested householders of the vicinity, who shall appraise and set apart to the owner the amount of property herein declared to be exempt.

Exemptions from distraint.

Appraisement thereof.

Section 29.

That section twenty-nine be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That in all cases where property liable to distraint for taxes may not be divisible, so as to enable the collector by a sale of part thereof to raise the whole amount of the tax, with all costs, charges, and commissions, the whole of such property shall be sold, and the surplus of the proceeds of the sale, after satisfying the tax, costs, and charges, shall be paid to the person legally entitled to receive the same; or if he cannot be found, or refuse to receive the same, then such surplus shall be deposited in the treasury of the United States, to be there held for the use of the person legally entitled to receive the same, until he shall make application therefor to the Secretary of the Treasury, who, upon such application and satisfactory proofs in support thereof, shall, by warrant on the treasury, cause the same to be paid to the applicant. And if any of the property advertised for sale as aforesaid is of a kind subject to tax, and such tax has not been paid, and the amount bid for such property is not equal to the amount of such tax, the collector may purchase the same in behalf of the United States for an amount not exceeding the said tax. And in all cases where property subject to tax, but upon which the tax has not been paid, shall be seized upon distraint and sold, the amount of such tax shall, after deducting the expenses of such sale, be first appropriated out of the proceeds thereof to the payment of said tax. And if no assessment of tax has been made upon such property, the collector shall make a return thereof in the form required by law, and the assessor shall assess the tax thereon. And all property so purchased may be sold by said collector, under such regulations as may be prescribed by the commissioner of internal revenue. And the collector shall render a distinct account of all charges incurred in the sale of such property to the commissioner of internal revenue, who shall by regulation determine the fees and charges to be allowed in all cases of distraint and other seizures; or where necessary expenses for making such distraint or seizure have been incurred, and in case of sale, the said collector shall pay into the treasury the surplus, if any there be, after defraying such fees and charges.

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.

That section thirty be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That in any case where goods, chattels, or effects sufficient to satisfy the taxes imposed by law upon any person liable to pay the same shall not be found by the collector or deputy collector whose duty it may be to collect the same, he is hereby authorized to collect the same by seizure and sale of real estate; and the officer making such seizure and sale shall give notice to the person whose

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 certainty, 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 thereof, as hereinafter specified and provided; otherwise, the same shall be declared 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 execution, 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 substantially 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 proceeded 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 estate sold as aforesaid, their heirs, executors, or administrators, or any person 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.

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.

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 evidence.

Entry to be made when land is redeemed.

If property seized and sold is not sufficient to pay tax, other property may be from time to time seized and sold.

The word "county," how construed in this act.

Section 34.

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, with 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.

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

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.

Section 41.

Collectors, &c. to collect all taxes and prosecute for forfeitures and penalties.

Taxes, forfeitures, and penalties how sued for and recovered.

Suit not to be commenced without authority of commissioner.

United States not to be subject to costs or attorney's fees, unless, &c.

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.

Section 44.

Taxes, &c., wrongly assessed, &c., may be refunded.

Collectors to be repaid amounts of judgments paid by them and damages and costs recovered against them.

Judgments, &c. for taxes, &c. to be paid to collectors.

In cases of second assessment, taxes not to be refunded, unless, &c.

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 col-

Section 48.

Property taxable held to be sold, &c. in fraud of revenue laws, may be seized by collector, and is forfeited.

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.

Raw materials, tools, &c. for manufacture, in fraud of the law, may be seized, &c.

Proceedings to enforce forfeiture.

Penalty for possessing taxable property with intent to sell in fraud of the law, &c.

Goods to be seized, &c.

Perishable property to be appraised;

may be restored to owner, he giving bond.

Bond to be filed.

Notice of proceedings in court when and how to be given to obligors of bond.

If owner does not give bond, property may be sold, &c.

Proceeds of sale.

Sections 53–57, 59, and 62–70 repealed on Sept. 1, 1866.

That sections fifty-three, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-nine, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, and seventy, be, and the same are hereby, repealed,

to take effect on the first day of September, eighteen hundred and sixty-six.

Section 71. No person, &c. to do business until special tax is paid.

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.

Section 72. Persons, &c. doing a business, specially taxed, to register names, &c. with assistant assessors. Register to state what.

That section seventy-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That every person, firm, company, or corporation engaged in any trade, business, or profession, on which a special tax is imposed by law, shall register with the assistant assessor of the assessment district, first, his or their name or style, and in case of a firm or company, the names of the several persons constituting such firm or company, and their places of residence; second, the trade, business, or profession, and the place where such trade, business, or profession is to be carried on; third, if a rectifier, the number of barrels he designs to rectify; if a pedler, whether he designs to travel on foot, or with one, two, or more horses or mules; if an innkeeper, the yearly rental value of the house and property to be occupied for said purpose. All of which facts shall be returned duly certified by such assistant assessor, to both the assessor and collector of the district; and the special tax shall be paid to the collector or deputy collector of the district as hereinafter provided for such trade, business, or profession, who shall give a receipt therefor.

Returns to be made to assessors and collectors. Special tax to be paid to collector, &c., and receipt given therefor.

Section 73. Penalty for exercising any trade, &c. without payment of tax.

That section seventy-three be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That any one 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 imprisonment for a term not exceeding two years, or a fine not exceeding five hundred dollars, or both, and such fine shall be distributed between the United States and the informer, if there be any, as provided by law.

Post, p. 473.

Fine how distributed.

Section 74. Receipt for payment of special tax to state what.

That section seventy-four be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That the receipt for the payment of any special tax shall contain and set forth the purpose, trade, business, or profession for which such tax is paid, and the name and place of abode of the person or persons paying the same; if by a rectifier, the quantity of spirits intended to be rectified; if by a pedler, whether for travelling on foot or with one, or two, or more horses or mules, the time for which payment is made, the date or time of payment, and (except in case of auctioneers, produce brokers, commercial brokers, patent-right dealers, photographers, builders, insurance agents, insurance brokers, and pedlers) the place at which the trade, business, or profession for which the tax is paid shall be carried on: *Provided*, That the payment of the special tax herein imposed shall not exempt from an additional special tax the person or persons, (except lawyers, physicians, surgeons, dentists, cattle brokers, horse dealers, pedlers, produce brokers, commercial brokers, patent-right dealers, photographers, builders, insurance agents, insurance brokers, and auctioneers,) or firm, company, or corporation doing business in any other place than that stated; but nothing herein contained shall require a special tax for the storage of goods, wares, or merchandise in other places than the place of business, nor for the sale by manufacturers or producers of their own goods, wares, and merchandise, at the place of production or manufacture, and at their principal office or place of business, provided no goods, wares, or merchandise shall be kept except as samples, at said office or place of business. And every person exercising

Payment of special tax not to exempt from additional tax for doing business in another place, except for, &c. No special tax for storage of goods, &c., if no goods, &c. are there kept except as samples

Persons carrying on business, &c. taxable, to exhibit receipt therefor to revenue officer on demand.

If pedler refuses to exhibit receipt, property may be seized.

Proceedings thereon.

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.

Special taxes when due.

Proportional part of tax.

Section 75.

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.

If person who has paid special tax dies, his executors, &c. may carry on the business.

In case of removal.

Cases of death, removal, &c. to be registered.

Section 76.

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, hereinafter 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.

If a person carries on more than one pursuit in same place at same time, tax to be paid for each.

In towns of less than 6000 persons one tax may cover what.

Section 77.

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

Auctioneers not to sell goods at private sale, nor employ other persons, except, &c.

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.

Penalty.

Auctioneers may sell goods of persons paying special tax, on their 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 pedlers, doing business in copartnership at any one place, shall be required to pay but one special tax for such copartnership.

Section 78.

Who may, and who may not do business in partnership, and pay but one special tax.

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: —

Section 79.

Special tax on

Banks and bankers.

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.

Definition of.

Savings banks.

Wholesale dealers.

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.

Definition of

Proviso.

Retail dealers.

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

Definition of retail dealer.

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.

Wholesale dealers in liquors.

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.

Definition of.

Post, p. 474.

Retail dealers in liquors.

Five. Retail dealers in liquors shall pay twenty-five dollars. 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.

Definition of.

Post, p. 474.

Lottery-ticket dealers.

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.

Definition of.

Bond to be given.

Horse dealers; may keep livery stable, &c.

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.

Proviso

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.

Definition of.

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. Cattle brokers.

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 wholesale or retail dealer, or pedler, 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. Produce brokers.

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. Commercial brokers.

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. 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. Distillers; of apples, grapes, or peaches. No tax on certain stills, &c.

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. Brewers. Proviso.

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 bitters," or any other name, shall be regarded as a rectifier. Rectifiers.

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. Coal-oil distillers and distillers of burning fluid and camphenes. See *Post*, p. 565.

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.

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.

may furnish food for animals of guests without additional tax;

selling liquors at retail to pay an additional tax.

Yearly rental how established.

Steamers, &c. furnishing food, &c. to passengers, to pay tax.

Penalty for false returns as to rent.

Keepers of eating-houses; 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.

not to pay tax as confectioners;

nor for selling tobacco, &c. on the premises.

Confectioners. 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.

Wholesale and retail dealers not to pay as.

Claim and patent agents. 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.

Patent right dealers. 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.

Real estate agents. 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.

Conveyancers. 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.

Intelligence office keepers. 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. Insurance agents. If annual receipts are not over $100. No special tax for selling tickets insuring travellers, &c.

Twenty-nine. 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. Foreign insurance agents.

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 any estate held by them as such. Auctioneers. Certain persons making certain auction sales not to pay tax.

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. Manufacturers. *Post*, p. 474.

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. Pedlers. Certain venders not to be deemed pedlers. *Post*, p. 474. Pedlers of distilled, &c. spirits, or jewelry, to pay what. Certain venders of certain articles not to pay tax. Venders of shell and other fish, and not from handcarts, &c.

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. Certain persons when not to pay.

Apothecaries. alcohol, or of selling or of dispensing, upon physicians' prescriptions, the wines and spirits officinal in the United States and other national pharmacopœias, 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 it is to manufacture cigars, snuff, or tobacco in any form, shall be regarded a tobacconist.

Butchers; not to pay tax as a retail dealer; selling from place to place, &c. 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. Thirty-seven. 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.

When tax to be paid by lessee.

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.

Tax to cover only 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.

Tax to cover only one State.

Bowling alleys and billiard rooms. Forty. 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. Definition of. Forty-one. 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 in 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.

Tax to be in addition to other taxes.

Stallions and jacks. Forty-two. 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 contain 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. Proviso.

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, or whose business it is to give legal advice in relation to any cause or matter whatever, shall be deemed to be a lawyer. Lawyers.

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 ailing, shall be deemed a physician, surgeon, or dentist. Physicians, surgeons, dentists.

Forty-five. Architects and civil engineers shall pay ten dollars. Every person whose business it is to plan, design, or superintend the construction 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. Architects and civil engineers. Practical carpenters not included.

Forty-six. Builders and contractors shall pay ten dollars. Every person 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 regarded as a builder and contractor. Builders and contractors.

Forty-seven. Plumbers and gas-fitters shall pay ten dollars. Every person, firm, or corporation, whose business it is to fit, furnish, or sell plumbing materials, gas-pipes, gas-burners, or other gas-fixtures, shall be regarded a plumber and gas-fitter. Plumbers and gas-fitters.

Forty-eight. Assayers, assaying gold and silver, or either, of a value 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. Assayers. Definition of.

Forty-nine. Miners shall pay ten dollars. Every person, firm, or company, who shall employ others in the business of mining for coal, or for gold, silver, copper, lead, iron, zinc, spelter, or other minerals, not having paid the tax therefor as 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. Miners, whose annual receipts as such amount to over $1000

Fifty. Express carriers and agents shall pay ten dollars. Every person, 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 business done upon such route by such person, firm, or company, anywhere in the United States; and such tax shall be required only from the principal 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. Express carriers and agents. Only one tax from a firm; and from the principal only; Proviso.

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.

Proviso.

Section 80.

Special tax not to be imposed upon certain classes, unless their annual gross receipts exceed $1000.

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.

Amount, how determined.

Proviso.

Section 81.

No special tax upon certain vintners;

apothecaries;

physicians;

farmers.

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.

Payment of tax not to exempt from penalty under State laws for carrying on such trade, &c., nor authorize a trade, &c. prohibited by State laws; nor prevent a State from imposing an additional tax.

Section 86.

Manufacturers to render an account of full amount of actual sales;

to state quantity consumed and what used for another manufacture;

market value;

shipped or consigned

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 made by the manufacturer, producer, or agent thereof, and shall state whether any part, and if so, what part, of said goods, wares, and merchandise, has been consumed or used by the owner, owners, or agent, or used for the production of another manufacture or product, together with the market value of the same at the time of such use or consumption; whether such goods, wares, and merchandise were shipped for a foreign port or consigned to auction or commission merchants, other than agents, for sale; and shall make a

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.

Return at what value.

Value, &c. to be estimated by actual sales.

How, when goods are not in custody of manufacturers, &c.

That section eighty-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 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 mull 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 mulls, 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,

Section 87.

Manufacturers of tobacco, snuff, or cigars to make additional statement.

Statement to be under oath, and to contain what.

To give bond and in what sums for different machines or presses, &c.

Conditions of bond.

Bond may be renewed or changed.

Certificate for what bond has been given to be exhibited to revenue officer on demand.

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.

Penalty for manufacturing without giving bond.

Fine and imprisonment.

Section 88.

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.

Assistant assessor to keep a record of persons manufacturing tobacco, snuff, or cigars, &c. open for inspection.

Abstract of monthly returns to be entered therein.

Assessors' record.

Section 89.

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.

Where tobacco, cigars, &c. are made on shares, or material is furnished by one party and manufactured by another, &c.

Penalty for fraud or collusion.

Section 90.

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 assessment 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 of 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 removals, 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,

Manufacturer to make an inventory of the tobacco, &c. owned by him on the first of January in each year.

Inventory to state what and how verified.

Accounts to be kept in book form.

Verified abstract of purchases and sales to be furnished the assessor monthly.

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 vender 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, and cigars, whether of domestic manufacture or imported, which shall be sold or pass 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

Penalty for neglect, &c. to keep books, &c.

Venders, &c. of tinfoil, &c. to state amount of sales thereof to certain persons.

Proceedings if such statement is not made, or is believed to be fraudulent.

General provisions of law to apply hereto.

Post, p. 474.

When tax on tobacco, &c. accrues.

Transfer of tobacco, &c. may be made to bonded warehouse without payment of tax, upon giving bonds, &c.;

and from one bonded warehouse to another, or for export.

Regulations for removal of distilled spirits to apply to tobacco, &c. so far as applicable.

No drawback.

Section 91.

Tobacco, snuff, and cigars to be inspected.

Package to be marked or stamped, and how.

Fees of inspector.

Penalty for fraudulently making or changing marks

Cigars to be how packed.

Tobacco, snuff or cigars, passing out of hands of manufacturers, &c. without inspection marks, except, &c., to be forfeited, &c.

Account to be kept of stamps delivered to or used by inspectors.

stamps delivered to the several inspectors; and said inspectors shall also 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.

Inspectors to give bonds.

Section 92.

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

Penalty for any person, except the manufacturer, to part with the possession of tobacco, &c. on which taxes have not been paid;

for receiving tobacco, snuff, or cigars under certain circumstances;

for receiving tobacco from a manufacturer who has not paid the tax.

Persons before making cigars to procure a permit.

Charge therefor.

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.;

for failing to

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 collector 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.

make returns, or making false ones.

Person having permit, upon request, may have cigars counted, &c. and may deliver them in bulk to purchaser without payment of tax.

Purchaser to do what;

to pay taxes.

Penalty for neglect;

for employing a person without a permit to make cigars;

for making cigars without a permit.

Cigars, &c. to be forfeited.

Proceeds, how distributed.

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, 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.

Manufactures except, &c., where the product does not exceed the rate of $1000 per annum, to be exempt.

Tax, when the product exceeds such rate, but is not over $3000; in all other cases;

to be on salable value of articles, &c. when removed for consumption or use.

Naphtha exempt, when, &c.

Section 94.

Taxes on certain manufactures, unless otherwise provided for.

Post, pp. 474, 475.

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.

On candles, of whatever material made, a tax of five per centum ad valorem.

Illuminating gas.

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 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.

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, &c.

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 illuminating, lubricating, or other mineral oils, marking not less than thirty-six nor more than fifty-nine degrees Baumé'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 Baumé'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. Tax.

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. Illuminating, &c. oils, the product of the refining of crude oil.

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. Oil, naphtha, benzine, benzoline, or gasoline. Distillers, &c. of mineral oil, &c. to be subject to all laws applicable to distillers of spirits, so far as deemed necessary by the commissioner. Certain distillers not to make returns oftener than once in thirty days.

On spirits of turpentine, ten cents per gallon. Spirits of turpentine.

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. Coffee, ground spices, and dry mustard, and all substitutes therefor. Proviso.

On molasses produced from the sugar-cane, and not from sorghum or imphee, a tax of three cents per gallon. Molasses.

On sirup 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. Sugar-cane juice.

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. Sugars not above number 12; *Post*, p. 474.

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. above number 12, and not above number 18;

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. above number 18.

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. Gross amounts of sales of sugar refiners. Who are sugar refiners. *Post*, p. 474.

On sugar candy and all confectionery made wholly or in part of sugar, Sugar candy

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.

Chocolate and cocoa.

On chocolate and cocoa prepared, a tax of one and a half cent per pound.

Gun cotton.

On gun cotton, a tax of five per centum ad valorem.

Gunpowder and all explosive substances, &c.

Post, p. 474.

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.

Varnish or japan.

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.

On glue and gelatine of all descriptions, in the solid state, a tax of one cent per pound.

Glue and cement.

On glue and cement, made wholly or in part of glue, sold in the liquid state, a tax of forty cents per gallon.

Pins.

On pins, solid head or other, a tax of five per centum ad valorem.

Photographs, ambrotypes, &c.

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.

Wood screws.

Post, p. 474.

On screws, commonly called wood screws, a tax of ten per centum ad valorem.

Clocks and timepieces.

On clocks and timepieces, and on clock movements, when sold without being cased, a tax of five per centum ad valorem.

Soaps valued at above three cents a pound.

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.

Perfumed soaps.

On all perfumed soaps, a tax of three cents per pound.

Uncompounded chemical productions.

On all uncompounded chemical productions not otherwise provided for, a tax of five per centum ad valorem.

Essential oils.

On essential oils of all descriptions, a tax of five per centum ad valorem.

Furniture and other articles of wood.

When tax to be only on increased value.

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.

Salt.

On salt, a tax of three cents per one hundred pounds.

Scales, pumps, &c.

On scales, pumps, garden engines, and hydraulic rams, a tax of three per centum ad valorem.

Tin-ware.

On tin ware of all descriptions, not otherwise provided for, a tax of five per centum ad valorem.

Iron, advanced beyond muck-bar, &c.

Ton to be 2000 pounds.

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.

Band, hoop, and sheet iron.

When from iron on which tax has been paid.

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.

Steel.

On steel made directly from muck-bar, blooms, slabs, or loops, a tax of three dollars per ton.

Stoves and hollow ware.

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.

Wrought iron tubes.

On tubes made of wrought iron, a tax of five dollars per ton.

Steam, locomotive, and marine engines, and railroad cars.

Tax paid on materials to be deducted.

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, wrists, 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.

Boilers, tanks, stills, tools, machines, &c.

On boilers of all kinds, water tanks, sugar tanks, oil stills, sewing machines, lathes, tools, planes, planing machines, shafting, and gearing, a tax of five per centum ad valorem.

Iron railings, gates, &c.

On railings, gates, fences, furniture, and statuary made of iron, a tax of five per centum ad valorem.

Copper, &c. tubes, sheet lead, &c.

On copper and brass tubes, nails, or rivets, sheet lead, and lead pipes and shot, a tax of five per centum ad valorem.

Goat, &c. skins.

On goat, calf, kid, sheep, horse, hog, and dog skins, tanned or dressed in the rough, a tax of five per centum ad valorem.

Post, p. 474.

Tax when to be only on increased value.

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.

Patent, enamelled, and japanned leather.

Proviso.

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.

Oil-dressed leather.

On oil-dressed leather, a tax of five per centum ad valorem.

Leather.

On leather of all descriptions, tanned or partially tanned, in the rough, a tax of five per centum ad valorem.

Post, p. 474.

Tax when only on increased value.

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.

Wine not made from grapes, &c.

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.

Returns, collections, &c.

Penalty for knowingly selling, &c. such wine, when tax has not been paid.

Cloth and textile, knitted or felted fabrics.

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.

Post, p. 475.

Thread and twine.

On thread and twine, a tax of five per centum ad valorem.

Clothing, hats, bonnets, hoop-skirts.

Parts of clothing.

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, fur, &c.

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.

Post, p. 474.

Proviso.

Boots, shoes, and shoe-strings.

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.

Post, p. 474.

What boot, &c. makers to be exempt.

Clothing, gloves, caps, felt hats, &c.

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.

Post, p. 474.

Certain custom work not to be taxed.

Certain work not to be deemed a manufacture.

Paper.

On paper not otherwise herein provided for, a tax of three per centum ad valorem.

Manufactures of cotton, wool, silk, &c., not otherwise provided for.

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 or gray stoneware shall be subject to a tax of two and one half per cent ad valorem, and no more.

When tax to be only on increased value.

Brown earthen and common stone ware.

Diamonds, jewelry, &c.

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.

When imported, &c. and reset, tax to be only on value of settings.

Bullion.

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-

Product of assay to be stamped.

Sales, transfers, &c. of gold or silver assayed,

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.

unlawful, unless stamped.

Penalty for such sale, &c.

Gold and silver, unless stamped, not to be used or exported.

Penalty.

Proviso.

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.

Snuff.

On cavendish, plug, twist, and all other kinds of manufactured tobacco, not herein otherwise provided for, a tax of forty cents per pound.

Manufactured tobacco.

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.

Tobacco twisted by hand, &c.

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.

Fine-cut chewing tobacco, &c.

On smoking tobacco, sweetened, stemmed, or butted, a tax of forty cents per pound.

Smoking tobacco.

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-sixes, the market value of which is not over eight dollars per thousand, a tax of two dollars per thousand.

Cigarettes.

Post, p. 474.

Cheroots, &c., the market value of which is not over $8 per 1000;

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.

over $8, and not over $12;

On all cheroots, cigarettes, and cigars, the market value of which is 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, cigarettes, or cheroots, by the concealment of which he seeks to obtain a false, fraudulent, or deceptive appraisement.

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.

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, wares, merchandise, articles, or things at auction, including all sales of

Section 98.

Auction sales.

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.

No tax on certain auction sales.

Section 99.

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 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 merchandise, 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*,

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.

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. In estimating sales, those made by or through another broker not to be included.

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. Section 100. Annual tax on carriages, gold watches, billiard tables, gold or silver plate.

SCHEDULE A. Schedule A.

CARRIAGE, phæton, 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	$6 00
Carriages of like description, valued above five hundred dollars, each, ten dollars	10 00
ON GOLD WATCHES, composed wholly or in part of gold or gilt, kept for use, valued at one hundred dollars or less, each, one dollar,	1 00
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

Carriages. Gold watches. Billiard tables.

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	50
On plate, of silver, kept for use, per ounce troy, five cents	05

Gold plate. Silver plate.

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. Proviso. Exemption of certain silver plate, &c.

That sections one hundred and one and one hundred and two be, and the same are hereby, repealed. Repeal of sections 101, 102.

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 Section 103. Tax on gross receipts from passengers and mails, by railroads, steamboats, coaches, &c. Rate of tax. Tax not to be assessed upon certain receipts for transportation; to be assessed upon other transportation; how assessed and collected.

Repeal of part of section 109.

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 centum, 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.

Tax upon gross receipts of toll-roads, ferries, and bridges.

Post, p. 485.

Rate of tax.

Post, p. 475.

Tax not to be assessed, &c. where gross receipts for twelve months do not exceed needful repairs.

Tax may be added to rate of fare until April 30, 1867.

Post, p. 475.

Where the addition is only the fraction of a cent.

Tickets to be sold in packages of 20, &c.

No tax where gross receipts do not exceed $1000 per annum.

Boats, &c. not used for passengers, and not propelled by steam, &c., and used exclusively for carrying coal, &c., to pay an annual special tax.

Rate of tax.

How assessed and collected.

Section 107.

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 centum on the gross amount of all receipts of such person, firm, company, or corporation.

Tax on gross receipts of telegraphic lines.

Rate of tax.

Section 110.

That section one hundred and ten 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 a tax of one twenty-fourth of one per centum each month upon the average amount of the deposits of money, 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 twenty-fourth of one per centum 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 centum each month upon the average amount of circulation issued by any bank, association, corporation, company, or person, including as circulation all certi-

Tax of one twenty-fourth of one per cent on average amount of deposits subject to draft;

upon capital employed in banking;

upon circulation.

fied 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, Savings 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 in 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.

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;

to be under oath or affirmation.

Penalty for refusal or neglect to make returns or payment.

In default of returns amount to be estimated.

Penalties, how recovered.

Tax, how assessed upon banks with branches.

Repeal of law, imposing any different tax on banks, &c. 1863, ch. 73. Vol. xii. p. 709.

This section not to apply to national banks. 1864, ch. 106. Vol. xiii. p. 99.

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.

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."

Section 111.

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.

Section 114.

That section one hundred and sixteen be amended by inserting after the words "on the excess over five thousand dollars," the following: and

Section 116.

Persons out of the United States

and not citizens, to pay on income from business in the United States.

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.

Post, p. 478. Section 119. Income tax when due; to last until 1870, and no longer.

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.

Post, p. 480.

Ten per cent additional to be paid, if, &c.

Section 120.

Tax on dividends of banks, trust companies, savings institutions, and insurance companies. Rate of tax.

That section one hundred and twenty be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That there shall be levied and collected a tax of five per centum on all dividends in scrip or money thereafter declared due, wherever and whenever the same shall be payable, to stockholders, policy holders, or depositors or parties whatsoever, including non-residents, whether citizens or aliens, as part of the earnings, income, or gains of any bank, trust company, savings institution, and of any fire, marine, life, inland insurance company, either stock or mutual, under whatever name or style known or called, in the United States or Territories, whether specially incorporated or existing under general laws, and on all undistributed sums, or sums made or added during the year to their surplus or contingent funds; and said banks, trust companies, savings institutions, and insurance companies shall pay the said tax, and are hereby authorized to deduct and withhold from all payments made on account of any dividends or sums of money that may be due and payable as aforesaid the said tax of five per centum. 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 any dividends or sums of money become due or payable as aforesaid; and said list or return shall contain a true and faithful account of the amount of taxes as aforesaid; and there shall be annexed thereto a declaration of the president, cashier, or treasurer of the bank, trust company, savings institution, or insurance 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 the taxes as aforesaid. And for any default in the making or rendering of such list or return, with such declaration annexed, the bank, trust company, savings institution, or insurance company making such default, shall forfeit as a penalty the sum of one thousand dollars; and in case of any default in making or rendering said list or return, or of any default in the payment of the tax as required, or any part thereof, the assessment and collection of the tax and penalty shall be in accordance with the general provisions of law in other cases of neglect and refusal: *Provided*, That the tax upon the dividends of life insurance companies shall not be deemed due until such dividends are payable; nor shall the portion of premiums returned by mutual life insurance companies to their policy holders, nor the annual or semi-annual interest allowed or paid to the depositors in savings banks or savings institutions, be considered as dividends.

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 122.

That section one hundred and twenty-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That any railroad, canal, turnpike, canal navigation, or slack-water company, indebted for any money for which bonds or other evidence of indebtedness have been issued, payable in one or more years after date, upon which interest is stipulated to be paid, or coupons representing the

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 whatsoever party or person the same may be payable, including non-residents, whether citizens or aliens; and said companies are hereby authorized 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 evidences of their indebtedness so held by any person or party whatever, except 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 company making such default shall forfeit as a penalty the sum of one thousand 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 according to the provisions of law in other cases of neglect or refusal.

of railroad, canal, turnpike, canal navigation, and slack-water companies.

Rate of tax.

Companies to withhold tax from all payments.

Payment to discharge companies of all indebtedness.

Return, when to be made to assessor, and tax paid;

to state what, and how verified.

Penalty for default in making return or payment;

in such case assessment and collection to be according to general provisions.

That section one hundred and twenty-two be further amended by adding 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 indebtedness.

When such companies are unable to pay, and fail to pay interest on their debt, tax not to be paid until, &c.

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, naval, or other employment or service of the United States, including senators and representatives and delegates in Congress, when exceeding the rate of six hundred dollars per annum, a tax of five 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 persons 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, receipts, 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

Section 123.

Post, p. 480.

Tax on the income of those in the civil, military, or naval service of the United States.

Rate of tax.

Amount to be deducted.

Certificate to be made and sent to office of commissioner.

Post, p. 480.

Pay-roll to show such payment.

Auditors, in

auditing accounts of paymasters, &c. to require proof that taxes have been deducted and paid over.

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.

Payments of prize money to be deemed income from salaries; but not payments to laborers, &c.

Section 124.

Legacy, &c. to minor child, unless over $1000, to be exempt from tax; if over $1000, excess only to be taxed.

That section one hundred and twenty-four be amended by adding thereto 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.

Section 125.

When tax on legacies, &c. is due.

That section one hundred and twenty-five be amended by inserting after the words "that the tax or duty aforesaid," the following: "shall be due and payable whenever the party interested in such legacy or distributive share or 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 shall assess 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.

Executors, &c. to give notice to assessors, &c.

Penalty for neglect, &c.

Tax to be deducted from particular legacy.

Section 137.

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."

Section 138.

Persons having in trust, &c. any disposition of real estate subject to tax, to notify assessor.

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."

Penalty for wilful neglect, &c.

Section 145.

That section one hundred and forty-five be amended by inserting after the word "years" the words: "from the time when such tax shall have become due and payable."

Section 147.

Persons liable to pay tax for succession to give notice to assessor, and render a true account in thirty days.

That section one hundred and forty-seven be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any person liable to pay a tax in respect to any succession shall give notice to the assessor or assistant assessor of his liability to such tax within thirty days from the time when he shall become entitled in possession to such succession or to the receipt of the income and profits thereof, and shall at the same time deliver to the assessor or assistant assessor

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.

Assessor, &c. may assess tax on such account, &c.

If no account is given, or assessor is dissatisfied, tax how assessed.

Appeal.

Expenses.

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.

Section 148.

Penalty for wilful neglect to give notice and deliver account;

and to pay tax.

That section one hundred and fifty be, and the same is hereby, repealed.

Repeal of section 150.

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.

Section 152.

No instrument, &c., required to be stamped, to be recorded unless stamped.

Record void.

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.

Section 154.

Official instruments, &c. issued by officers of the United States, or of any State, county, town, &c. to be exempt from tax.

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 be [en] provided, or may hereafter be provided, made, or used in pursuance of this

Section 155.

Penalty for forging or counterfeiting any stamp, die, &c.

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;

for 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.

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 other 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.

Section 158.

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.

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 hereafter, 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, be 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 hereinbefore 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.

Title to land not affected, if, &c.

If stamp is not put on instrument when made, how it may be placed thereon afterward, or upon a copy, if original is lost.

Proceedings where instrument was not duly stamped by accident, &c.

May be recorded.

If instrument not having stamp was made when and where there was no collection district, stamp may be affixed before January 1, 1867.

Intervening bona fide rights not affected.

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

Section 163. No deed, &c. required to be

stamped, to be hereafter admitted in evidence, until proper stamps are affixed.

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.

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.

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, sirups, 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 before mentioned, he or they shall incur a penalty of fifty dollars for every omission to affix such stamp.

Section 169.

Persons offering for sale any article named in schedule C, to be deemed the manufacturers.

That section one hundred and sixty-nine be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That any person who shall offer or expose for sale any of the articles named in schedule C, or in any amendments thereto, whether the articles so offered or exposed are imported or are of foreign or domestic manufacture, shall be deemed the manufacturer thereof, and subject to all the duties, liabilities, and penalties imposed by law in regard to the sale of domestic articles without the use of the proper stamp or stamps denoting the tax paid thereon, and all such articles imported, or of foreign manufacture, shall, in addition to the import duties imposed on the same, be subject to the stamp tax, respectively, prescribed in schedule C, as aforesaid: *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.

Such articles, if imported, to pay stamp tax.

Proviso.

Schedule B, amended.

Post, p. 475.

That schedule B, preceding section one hundred and seventy-one, be amended by striking out all after the paragraphs relating to "gauger's returns" and "measurer's returns;" and by striking out all from "receipts for the payment of any sum of money," down to "weigher's returns, if of a weight not exceeding five thousand pounds, ten cents; exceeding five thousand pounds, twenty-five cents," inclusive, and inserting in lieu thereof the following: Receipts for any sum of money, or for the payment of any debt, exceeding twenty dollars in amount, not being for the satisfaction of any mortgage or judgment or decree of any court, or by indorsement on any stamped obligation in acknowledgment of its fulfilment, for each receipt two cents: *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.

Receipts, stamp upon.

Where there are several signatures to the same paper.

"Money" to include drafts.

Assignments and transfers of mortgages.

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.

Domestic and inland bills of lading.

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.

Bill or memorandum of sale or contract for sale of stocks, &c.

That schedule C be amended by striking out the paragraph in relation to photographs.

Schedule C amended.
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: —

Cigar lights, wax tapers.

For and upon every pack, not exceeding fifty-two cards in number, irrespective of price or value, five cents;

Playing cards.

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).

Preserved meats, fish, vegetables, &c.

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.

Section 171.
No claim for drawback, unless presented, &c.

That section one hundred and seventy-nine be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That, where it is not otherwise provided for, it shall be the duty of the collectors, in their respective districts, and they are hereby authorized, 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

Section 179.
Collectors to prosecute for fines, penalties, and forfeitures.

Where suits may be brought.

What amount to be paid to informer, when there has been a judgment;

when payment is made without suit or before judgment.

been incurred; and when any sum is paid without suit, or before judgment, in lieu of fine, *penlly* [penalty], or forfeiture, and a share of the same is claimed by any person as informer, the Secretary of the Treasury, under general regulations to be by him prescribed, shall determine whether any claimant is entitled to such share as above limited, and to whom the same shall be paid, and shall make payment accordingly. It is hereby declared to be the true intent and meaning of the present and all previous provisions of internal revenue acts granting shares to informers, that no right accrues to or is vested in any informer in any case until the fine, penalty, or forfeiture in such case is fixed by judgment or compromise and the amount or proceeds shall have been paid, when the informer shall become entitled to his legal share of the sum adjudged or agreed upon and received: *Provided*, That nothing herein contained shall be construed to limit or affect the power of remitting the whole or any portion of a fine, penalty, or forfeiture conferred on the Secretary of the Treasury by existing laws. The commissioner of internal revenue shall be, and is hereby, authorized and empowered to compromise, under such regulations as the Secretary of the Treasury shall prescribe, any case arising under the internal revenue laws, whether pending in court or otherwise. 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 informer 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.

No right accrues to an informer until, &c.

Power to remit fines, &c. not affected.

Commissioner may compromise cases whether pending or otherwise.

What courts to have jurisdiction.

In civil actions for penalties, if informer is witness, the other party may be.

Penalty for receiving money under threat of informing or for not informing.

Repeal of §§ 2, 5, 8, 9, 10, and 12 of act of 1865, ch. 78.

Vol. xiii. pp. 483–5.

SEC. 9, [bis.] *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, be, and the same are hereby, repealed.

Section 6.

Persons, &c. using notes of State banks as circulation after August 1, 1866, to pay a tax of ten per cent thereon.

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, be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That every national banking association, State bank, or State banking association, shall pay a tax of ten per centum on the amount of notes of any person, State bank, or State banking association, used for circulation and paid out by them after the first day of August, eighteen hundred and sixty-six, and such tax shall be assessed and paid in such a manner as shall be prescribed by the commissioner of internal revenue.

Section 14. Vol. xiii. p. 486.

Capital of State bank ceasing to exist, &c. 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 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 existed immediately before such bank ceased to exist or was converted as aforesaid; and whenever the outstanding circulation of any bank, association, corporation, company, or person shall be reduced to an amount not exceeding 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 whenever any bank which has ceased to issue notes for circulation shall deposit in the treasury of the United States, in lawful money, the amount

Banks ceasing to issue circula-

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.

ting notes, &c. to be exempt.

National banks made from State banks, and assuming their liabilities, to make return, and pay tax on circulation of over five per cent of capital.

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 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 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.

Substitute for sections 3, 4, and 5 of act of 1866, ch. 15. *Ante*, p. 5.

Persons making lists for taxation, to declare whether values are stated in legal tender or coined money.

Failing to do so, assistant assessor to make lists and add penalties.

If values are stated in coined money, assessor to reduce it to legal tender.

Values in lists sent by assessors to collectors, to be in legal tender.

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: —

Articles and products exempt from taxation.

[For other exempted articles, see *post*, p. 476.]

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;

Post, p 475.

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, bolsters, 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, imphee, beets and corn;

Mineral coal of all kinds, and peat;

Monuments. *Post*, p. 475.

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 Baumé'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 Baumé'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; Articles and products exempt from taxation.

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;

Pickles, 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;

Saltpetre;

Salts of tin;

Silex 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.

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 watch-cases, 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:

Exemptions confined to articles as specified.

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.

SEC. 11. *And be it further enacted*, That all lists or returns required to be made monthly, by any person, firm, company, corporation, or party whatsoever, liable to tax, shall be made on or before the tenth day of each and every month, and the tax assessed or due thereon shall be certified or returned by the assessor to the collector on or before the last day of each and every month. And all lists or returns required to be made quarterly, and all other lists or returns, for which no provision is otherwise made, shall be made on or before the tenth day of each and every month in which said list or return is required to be made, or succeeding the time when the tax may be due and liable to be assessed, and the tax thereon shall be certified or returned as herein provided for monthly lists or returns. And the tax shall be due and payable on or before the last day of each and every month. And in case said tax is not paid on or before the last day of each and every month the collector shall add ten per centum thereto: *Provided*, That notice of the time when such tax shall become due and payable shall be given in such manner as shall be prescribed by the commissioner of internal revenue; and if said tax shall not be paid on or before the last day of the month as aforesaid, it shall be the duty of said collector to demand payment thereof, with ten per centum additional thereto in the manner prescribed by law; and if said tax and ten per centum additional are not paid within ten days from and after such demand thereof, it shall be lawful for the collector or his deputy to make distraint there-

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.

Distraint.

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 applicable thereto.

Part of former law, relating to time of payment, &c. of tax, repealed.

Laws as to neglect in making returns, &c. applicable hereto.

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 pharmacopœias, 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 incorporated college of pharmacy, shall not be regarded as manufacturers under this act. But apothecaries and all other persons who manufacture 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 pretended, 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.

Certain apothecaries not to be regarded as manufacturers under this act.

Other apothecaries and persons to be deemed manufacturers.

SEC. 13. *And be it further enacted*, That no stamp tax shall be imposed upon any uncompounded medicinal drug or chemical, nor upon any medicine compounded according to the United States or other national pharmacopœia, 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 incorporated college of pharmacy, when not sold or offered for sale, or advertised under any other name, form, or guise than that under which they may be severally denominated and laid down in said pharmacopœias, dispensatories, or journals as aforesaid; nor upon medicines sold to or for the use of any person, which may be mixed and compounded for said person 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.

Stamp tax not to be imposed upon certain drugs, medicines, or chemicals.

No patent or proprietary medicine exempted from tax.

SEC. 14. *And be it further enacted*, That in case any goods or commodities for or in respect whereof any tax is or shall be imposed, or any materials, 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 commodities shall be forfeited under this act, or any other act of Congress relating 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, respectively, shall be forfeited; and every person who shall remove, deposit, or conceal, or be concerned in removing, depositing or concealing any

Removing or concealing, &c. any goods liable to tax, or any materials or utensils for making such goods, with intent to defraud as to such tax, to work forfeiture thereof, &c.

In all cases of forfeiture of goods, &c. the casks, packages, vessels, carriages and horses, &c. used in removal, &c. to be forfeited.

Penalty for

removal, &c.

Fine.

goods or commodities for or in respect whereof any tax is or shall be imposed, with intent to defraud the United States of such tax or any part thereof, shall be liable to a fine or penalty of not exceeding five hundred dollars.

Search warrant, how and by whom may be issued, to search premises to detect frauds upon the revenue.

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.

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.

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.

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.

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.

Manual labor schools, &c. not to pay a manufacturer's tax, while, &c.

Post, p. 475.

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.

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. 475.

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.

In ports where there is more than one collector of internal revenue, one may be designated to attend to exportation. Vol. xiii. p. 486.

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.

Superintendent of exportation and drawback.

Compensation.

Books, papers, &c. in bureau of drawback to be delivered to collector of internal revenue, who may administer oaths and certify papers.

Who to be deemed a distiller, and what presumptive evidence thereof. *Post*, p. 481.

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.

Who to be regarded as a rectifier.

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.

Penalty for doing business as a distiller or rectifier without having paid the special tax.

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.

Liquors, materials, vessels, stills, &c. to be forfeited.

Distillers and rectifiers to give notice in writing to assessor.

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

Notice to state what.

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.

Notice to be given of certain changes, and within what time.

Bond.

Conditions.

Penal sum.

When collector may refuse to approve bond.

Appeal.

New bond.

Penalty for failing to give notice or bond, &c.

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.

Stills, boilers, &c. not to be used for purposes of distilling in certain buildings.

Penalty for such use.

Stills, &c. to be forfeited.

Fine or imprisonment.

Manufacturers of stills, &c. before their removal to notify collector.

Stills, &c. not to be set up without written permit of collector.

Penalty for so doing or for failing to give notice.

Saleratus.

Boilers used in making steam or heating water.

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

Rectifiers and dealers in dis-

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.

tilled spirits to make daily certain entries in books.

Penalty for neglecting or refusing so to do.

Rectifiers to mark name and place of business on certain packages.

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 o[w]ner, 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.

Warehouse for storage of bonded spirits of their own manufacture to be provided by owners of distilleries;

when may be declared a bonded warehouse;

how to be used and kept.

Tax on spirits stored therein to be paid before removal.

Owners to execute a general bond;

penal sum; form and conditions;

shall be changed or renewed.

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.

General bonded warehouses for storage, &c. may be established.

Storekeepers and their pay.

Removal of articles manufactured in a bonded warehouse in the Atlantic States to a customs bonded warehouse on Pacific coast. Vol. xiii. p. 296.

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

An inspector to be appointed for every distillery.

[Repealed. See 1867, ch. 169, § 17. *Post*, p. 481.]

Duties of inspectors of distilleries.

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, any materials for the purpose of producing 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.

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.

Pay to be assessed on distiller.

Fees for inspection.

When assistant inspector may be appointed.

Duties, pay, &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.

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-

General inspectors of spirits to be appointed.

Fees.

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.

Penalty upon owner, &c. of distillery, &c. for refusing to admit inspector on premises, &c.

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.

Persons making or distilling spirits, or owning stills, &c. to make certain entries daily in a book;

to render under oath duplicate accounts to assessors trimonthly.

Entries, how to be verified.

If entries in books are not made by owner, what certificate is to be made by owner.

Books and premises to be open to revenue officer for inspection.

Penalty for violation of the provisions of this section.

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 whereon 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.

Tax upon certain distilled spirits;

to be paid by whom;

to be a lien;

Post, p. 480.

to be collected at no lower rate than the basis 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

Proof spirit to be what.

Post, p. 480.

Instruments for weighing and gauging spirits.

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.

Gallon to mean a gallon of first proof.

Receiving cisterns to be provided by owner of distillery, and how located;

how to be constructed;

to be under the lock and seal of the inspector.

Spirits conveyed to such cisterns, when to be drawn off, inspected, &c.

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 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.

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.

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.

Tax on wines, made in imitation of champagne and put up in bottles, &c.;

Tax to be paid by whom.

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 pretence 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; said tax to be paid by the manufacturer, owner, or person having possession thereof; and the returns, assessment, collec-

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 wilfully 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.

Returns, assessments, &c.

Penalty for knowingly, &c. selling such wine on which tax has not been paid.

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 so to do by any duly authorized officer, under a penalty of two hundred dollars for any refusal or neglect so to do.

Owners, &c. of distilleries to give all assistance for inspecting their premises.

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* [have] 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 marked 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 whatever, 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 quantity of such spirits, to be assessed and collected as in case of other taxes, and forfeit and pay as a penalty 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 any part thereof, 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 quantity or quality different from that so inspected, shall be imprisoned for a term of six months or

Distilled spirits to be inspected, &c. before removal to a bonded warehouse; to be drawn into casks, &c.; casks, &c. how to be branded.

Post, p. 481.

No cask to be taken from warehouse, unless so branded.

Inspectors to make prompt returns.

Penalty for evading or attempting to evade payment of tax;

for putting into casks spirits of greater strength;

upon inspector, &c. for conspiring to defraud the United States of the tax;

for making false entries or returns;

for placing false marks upon casks, &c.;

for using casks, &c. to sell spirits of a quantity or quality different from that inspected;

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 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 offence so committed, be subject to the fine last mentioned.

Penalty for adding ingredients to spirits to create a fictitious proof before tax is paid.

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.

Distilled spirits, when inspected, &c. may be removed before tax is paid from bonded warehouse of distiller to any general bonded warehouse.

Bonds.

How branded.

Such spirits to be again inspected, &c.

Tax to be paid on what amount.

What allowance for loss.

Spirits to be subject to rules, &c.;

to be in charge of storekeeper.

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 redistillation, 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, compositions, perfumery, cosmetics, cordials, and other liquors manufactured wholly or in part of domestic spirits, as provided by law.

Fees for execution of papers, &c.

Expenses, &c. to be paid by owner.

Distilled spirits, how may be withdrawn from bonded warehouse, &c.; for exportation, rectification, &c

Removal for rectification to be allowed but once for the same spirits.

Spirits removed to be returned.

Tax to be paid on what deficiency.

No drawback on distilled spirits on which tax has been paid.

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 certificate 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-

Spirits may be removed from bonded warehouse for exportation.

Proceedings in such cases.

Bond.

When bond may be cancelled.

Where there is no superinten-

dent of exports, collector to act as such.

ports and drawback shall devolve upon and be performed by the collector of internal revenue designated to have charge of exportations.

Penalty for making any false document, &c. to evade the payment of tax, or in fraud of the internal revenue laws.

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 whatever, 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.

Forfeiture.

Imprisonment.

Owners of spirits intended for sale, manufactured before this act takes effect, to notify collector to gauge and prove them.

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 gallons altogether, shall notify in writing the collector of the district wherein such spirits may be stored, held, or owned, within sixty days thereafter, to gauge and prove the same; 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: —

Casks, &c. how to be marked.

Manufactured prior to
————, 186–.
————, Inspector,
—— District.
Inspected ——, 186–.

Such spirits to be gauged only in barrels, &c.

And no spirits so manufactured, held, or owned, shall be gauged, proved, or marked in any cistern or other stationary vessel, but shall be gauged, proved and marked only in barrels, casks, or packages in which the same shall have been placed; and the quantity held in leach-tubs shall be estimated by the inspector, and when drawn off into packages, shall be gauged and marked as herein provided. Upon the receipt of the return the collector shall immediately forward to the commissioner of internal revenue a copy thereof; and any person holding or owning such spirits, and refusing or neglecting to notify the collector, as in this section provided, shall forfeit the same and pay the sum of five hundred dollars, to be collected in the manner provided by law for the collection of other penalties. No distilled spirits on which the tax has been paid shall be stored or allowed to remain on any distillery premises, under the penalty of a forfeiture of all spirits so found. And all spirits, after being removed from the original package in which they were inspected and gauged into other packages for purposes of rectification, redistillation or change of proof, shall again be inspected and gauged and properly branded; and the absence of an inspector's brand shall be taken and held as sufficient cause or evidence upon which any spirits so found may be forfeited. And any person who shall change the character of any spirits, either by rectification, mixing, or otherwise, after they have been duly inspected and marked, as hereinbefore provided, and place the same in other packages for consumption or sale without first stamping or branding upon such package, in such manner as the commissioner of internal revenue may prescribe, the word "Rectified," shall forfeit such spirits, and the same may be seized by the collector or deputy collector of the district where such spirits may be found, or by such other collector or deputy col-

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.

lector as may be specially authorized by the commissioner of internal revenue for that purpose. And any person who shall so brand any package containing spirits, knowing the taxes thereon have not been paid, shall forfeit such spirits, and shall be deemed guilty of a misdemeanor, and upon conviction shall be imprisoned for not more than two years, at the discretion of the court.

Branding packages, knowing the taxes not to be paid, how punished.

See *Post*, p. 475.

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 such 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 and all parts of this act, and 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.

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.

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 according to existing provisions of law in relation to distraint, and in conformity with any regulations which shall be made by the commissioner of internal revenue. And 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.

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 claimants.

Aiding in the unlawful removal of distilled spirits how, punished.

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

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.

Brewers to give bond; in what amount; to be renewed annually; Conditions.

SEC. 47. *And be it 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 purposes 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.

Proviso.

Tax on beer, lager beer, ale, porter, &c.

SEC. 48. *And be it further enacted*, That there shall be paid on all beer, lager beer, ale, porter, and other similar fermented liquors, by whatever name such liquors may be called, 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.

By whom to be paid.

Fractional parts of a barrel, and how accounted.

Post, pp. 475, 476.

Brewers, &c. manufacturing beer, lager beer, ale, &c., to make, from day to day, entries in a book of kind and quantity of liquors made, &c.; to enter, in a separate book, an account of material purchased; to render monthly statement to assessor under oath, &c.;

SEC. 49. *And be it 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, *on* [an] account of all material by him purchased for the purpose of producing such fermented liquors, 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.

Brewers, &c. to send duplicate of statement to collector.

Books to be open to inspection of revenue officers.

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 oath 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: "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."

Entries in books to be verified monthly upon oath.

Form of oath.

Oath taken by owner, if original entries are not made by him.

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 as 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 forfeit, 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.

Penalty for evading or attempting to evade payment of tax;

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 furnish accounts, or for not permitting books to be examined.

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 liquors, 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 *decuction* [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

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

assessor on account of sales of stamps.

included in estimating the commissions of such collector and of the assessor of the same district.

Brewers to obtain from collectors the proper stamps, and affix upon the tap of each barrel, &c. a stamp denoting the tax thereon.

SEC. 53. *And be it further enacted*, That every brewer shall obtain, from the collector of the district in which his brewery or brewery warehouse 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 faucet or other instrument for that purpose; and shall also, at the time of affixing 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 dollars for each barrel or package on which such omission or fraud occurs, and shall be liable to imprisonment for not more than one year.

Mode of affixing the stamp.

Stamps to be cancelled, and how.

Penalty for not affixing or not cancelling stamp, or affixing fraudulent ones.

Fine and imprisonment.

Penalty for selling, purchasing, receiving, &c. fermented liquor in any vessel from a brewery, &c. without a stamp, or with a false stamp, &c.:

SEC. 54. *And be it further enacted*, That any brewer, carman, agent for transportation, or other person, who shall sell, remove, receive, or purchase, 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 cancelled 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 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 fradulent 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 hogsheads, 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 remove 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

for withdrawing such liquor from the vessel, without defacing the stamp, or from a vessel not stamped;

for making, selling, or using false stamps or dies, &c.

Brewers selling at retail from brewery to affix and cancel proper stamps;

to keep account of quantity sold;

to report under oath to assessor monthly, and to send duplicate to collector;

may remove certain malt liquors in certain quantities from brewery to warehouse without stamps.

Stamps to be affixed when liquor is sold or removed.

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.

When and how ale or porter may be removed from district where manufactured to warehouse in another district, without having stamps affixed.

Fermented liquors, sour and unfit for use, may be sold for manufacturing purposes, &c. without stamps affixed.

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.

Every barrel, &c. of fermented liquor to be marked before it is sold or removed from brewery.

Penalty for purposely removing or defacing such marks.

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.

Penalty, if any person other than owner or purchaser intentionally removes or defaces stamp on any barrel, &c.

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 notice to all persons that the tax has not been paid thereon, and shall be prima facie evidence of the non-payment thereof.

Possession of fermented liquor after removal from warehouse, on which tax is not paid, to be cause of forfeiture.

Absence of stamps on barrel, &c. to be notice that tax is not paid.

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.

Withdrawing fermented liquor for bottling, from any vessel not stamped, or bottling fermented liquor in the place where it is made, &c. how punished.

SEC. 59. *And be it further enacted*, That any inspector or revenue

Penalty upon

revenue officers for becoming or being interested in the manufacture of tobacco, &c. or in production of spirits or fermented liquors.

agent who shall hereafter become interested, directly or indirectly, 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.

Being interested when act takes effect, and failing to divest of interest, &c.

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.

Internal revenue officers paid by fees, &c. to make statement under oath of entire amount of fees, &c.

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 an amendment; 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.

Penalty for knowingly making false statement;

for neglecting to render statement when required.

When law relating to distilled spirits and fermented liquors takes effect.

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.

Penalty for giving or offering, &c. any bribe, or present, &c. to any United States officer or official, with intent to influence his action on anything before him, or to cause him to commit any fraud upon the revenue;

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 of the United States, or person holding any place of trust or profit, or discharging any official function under, or in connection with, any department of the government of the United States, after the passage of this act, with intent to influence his decision or action on any question, matter, cause, or thing which may then be pending, or may by law be brought before him in his official capacity, or in his place of trust or profit, or with intent to influence any such officer or person to commit, or aid or abet in committing, any fraud on the revenue of the United States, or to connive at or collude in, or to allow or permit, or make opportunity for the commission of any such fraud, and shall be thereof convicted, such person or persons so offering, promising, or giving, or causing, or procuring to be promised, offered, or given any such 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 other valuable thing whatever, and the officer or person who shall in anywise accept or receive the same, or any part respectively shall be liable to indictment in any court of the United States having jurisdiction, and shall, upon conviction thereof, be fined not exceeding three times the amount so offered, promised, given, accepted, or received, and imprisoned not exceeding three years; and the person con-

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.

Incapacitated from holding office.

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 disinterest[ed] 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 to the collector or deputy collector, he shall transmit the same, with the duplicate list or description 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 expense of appraisement and sale he shall deposit the proceeds to the credit of the Secretary of the Treasury. And within one year after the sale of any goods, wares, or merchandise, as aforesaid, any person or persons claiming to be interested in the goods, wares, or merchandise so sold may apply to the Secretary of the Treasury for a remission of the forfeiture thereof, or any of them, and a restoration of the proceeds of the said sale, which may be granted by the said Secretary upon satisfactory proof, to be furnished in such manner as he shall prescribe: *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 wilful negligence or any intention of fraud on the part of the

Proceedings in cases of seizure of goods as subject to forfeiture.

List in duplicate.

Appraisement.

Pay of appraisers.

If goods seized are found to be of the value of $300 or less, collector to publish notice.

Notice to state what.

Claimants of the goods seized may file claim and execute bond.

Conditions of bond.

Collector to send bond and duplicate list to the United States district attorney, who shall proceed thereon.

If there is no claim and no bond, collector to give ten days' notice of sale of goods.

Sale at public auction.

Proceeds of sale.

Within year of sale, application may be made for remission of forfeiture, and restoration of proceeds of sale.

Applicant to prove what.

If no application is made within one year, proceeds of sale to be distributed.

owner or owners of such goods. If no application for such restoration be made within one year, as hereinbefore prescribed, then, at the expiration of the said time, the Secretary of the Treasury shall cause the proceeds of the sale of the said goods, wares, or merchandise to be distributed according to law, as in the case of goods, wares, or merchandise condemned and sold pursuant to the decree of a competent court.

Reorganization of office of commissioner of internal revenue.

SEC. 64. *And be it further enacted*, That the office of the commissioner of internal revenue be reorganized so as to include —

Commissioner.

One commissioner of internal revenue, with a salary of six thousand dollars; and

Deputy commissioner.

One deputy commissioner, with a salary of three thousand five hundred dollars;

Additional officers and clerks.

Which offices are already created, and the duties thereof defined by law; and to authorize, under the direction of the Secretary of the Treasury, the employment of the following additional officers and clerks, and with the salaries hereinafter specified, namely:

Two deputy commissioners.

Two deputy commissioners, each with a salary of three thousand dollars;

Solicitor.

One solicitor, with a salary of four thousand dollars;

Heads of divisions.

Seven heads of divisions, each with a salary of two thousand five hundred dollars;

Clerks.

Thirty-four clerks of class four; forty-five clerks of class three; fifty clerks of class two; and thirty-seven clerks of class one;

Messengers.

Fifty-five female clerks; five messengers;

Assistant messengers and laborers.

Three assistant messengers, and fifteen laborers; and a sum sufficient to pay the additional salaries of officers, clerks, and employés herein authorized is hereby appropriated out of any money in the treasury not

Appropriation.

otherwise appropriated; and this section shall take effect from and after the *the* thirtieth day of June, eighteen hundred and sixty six.

Official communications between certain revenue officers to be free of postage.

SEC. 65. *And be it further enacted*, That all official communications made by assessors to collectors, assessors to assessors, or by collectors to collectors, or by collectors to assessors, or by assessors to assistant assessors, or by assistant assessors to assessors, or by collectors to their deputies, or by deputy collectors to collectors, may be officially franked by the writers thereof, and shall, when so franked, be transmitted by mail free of postage.

Special commissioner of the revenue.

SEC. 66. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to appoint an officer in his department who shall be

Term of office.

styled "special commissioner of the revenue," whose office shall terminate in four years from the thirtieth day of June, eighteen hundred and sixty-six.

Duties.

It shall be the duty of the special commissioner of the revenue to inquire into all the sources of national revenue, and the best methods of collecting the revenue; the relations of foreign trade to domestic industry; the mutual adjustment of the systems of taxation by customs and excise, with the view of insuring the requisite revenue with the least disturbance or inconvenience to the progress of industry and the development of the resources of the country; and to inquire, from time to time, under the direction of the Secretary of the Treasury, into the manner in which officers charged with the administration and collection of the revenues perform their duties. And the said special commissioner of the revenue

To report from time to time modifications of rates of taxation, &c.

shall from time to time report, through the Secretary of the Treasury, to Congress, either in the form of a bill or otherwise, such modifications of the rates of taxation or of the methods of collecting the revenues, and such other facts pertaining to the trade, industry, commerce, or taxation of the country, as he may find, by actual observation of the operation of the law, to be conducive to the public interest; and, in order to enable

Special commissioner may examine books,

the special commissioner of the revenue to properly conduct his investigations, he is hereby empowered to examine the books, papers and accounts of any officer of the revenue, to administer oaths, examine and

summon witnesses, and take testimony; and each and every such person falsely swearing or affirming shall be subject to the penalties and disabilities 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 postage. 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.

&c. of any officer of revenue, &c.
False swearing before him to be perjury.
Government officers to extend facilities.
Salary.
Franking privilege.
Repeal of § 19 of act of 1865, ch. 78. Vol. xiii. p. 487.

SEC. 67. *And be it further enacted*, That in any case, civil or criminal, 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, originally 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 deputy, 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 defendant 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

In all suits against revenue officers, or persons acting under them, &c. and affecting the validity of this act, &c., defendant may remove the suit to the United States circuit court at any time before trial.
Proceedings for removal.
Petition, &c.
Duty of clerk of circuit court.
Certiorari.
Habeas corpus cum causa.
How served.
State court to stay proceedings, and further acts therein void.
If defendant in custody, marshal to take the body.
Attachments, bail, &c. to continue.

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 rescue, 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 wilful obstruction or resistance of officers in the service of process.

If copy of proceedings in State court cannot be had, circuit court may compel plaintiff to proceed anew, or become nonsuit with costs for defendant.

Act of 1833, ch. 57, not to apply to cases arising under internal revenue laws. Vol. iv. p. 632.

Revenue officers, or persons acting under them, suffering injuries for acts done under the law, may sue for damages in the United States circuit court.

Property in custody of revenue officer to be irrepleviable.

Rescue thereof, how punished.

1790, ch. 9, § 22. Vol. i. p. 117.

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.

Repeal of § 50 of act of 1854, ch. 173. Vol. xiii. p. 241.

Cases removed from State courts to courts of the United States to be remanded, unless, &c.

In all cases that have been removed, attachments, bail, &c. to remain in force.

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-

In writs of error in criminal cases to Supreme Court of the

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.

United States, defendant is not to be released until, &c. 1789, ch. 20, § 25. Vol. i. p. 85.

If offence is not bailable.

Writs of error in criminal cases to have certain precedence on docket of supreme court.

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 or 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.

When this act shall take effect.

Repeal of inconsistent laws.

Provisions of former laws to be in force for certain purposes.

Certain duties under existing laws to continue.

Certain duties not to cease, though law is repealed.

Manufactures, &c. in possession of manufacturers, when this act takes effect, on which duty has not been paid, or was not imposed, to be deemed to have been manufactured after such date.

Commissioner may make regulations, and prescribe forms and proceedings.

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.

Tax law to be published in certain German newspapers.

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.*

July 16, 1866.

1865, ch. 90. Vol. xiii. p. 507.

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.

Act establishing bureau for relief of freedmen, &c. continued in force for two years.

Supervision and care of bureau to extend to all loyal refugees and freedmen.

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.

Two assistant commissioners to be appointed.

Bonds and salaries.

Duties.

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 the military service of the United States as to be under the military jurisdiction, and entitled to the military protection of the government while in discharge of the duties of their office.

Agents, clerks, and assistants.

Military officers and men may be detailed for service.

All officers and agents of bureau may be detailed from army, but without increase of pay, &c.

Salaries of agents and clerks.

Soldiers to be appointed when it can be done, &c.

All persons appointed under this act to be under military jurisdiction.

Officers of veteran reserve corps now in bureau may be retained.

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.

Medical stores, supplies, and aid.

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.

Who not to be deemed "destitute," "suffering," or "dependent," &c.

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 time of

Sales made to "heads of families of the African race" by the tax commissioners for South

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 plats 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.

Carolina confirmed. 1863, ch. 21. Vol. xii. p. 640.

Leases, when may be changed into certificates of sale.

Lands now unsold, how to be disposed of.

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 agreeably 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.

Other lands in parishes of Saint Helena and Saint Luke bid in at tax sales, except "school farms," &c. to be disposed of in parcels;

to whom, in what quantity, and for what price may be sold.

Lands so sold not to be alienated within six years.

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, at 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.

"School farms" in the parish of Saint Helena to be sold; how, when, and for what price.

Lots in Port Royal and lots and houses in Beaufort.

Proceeds of sales how invested and applied.

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-

Assistant commissioners to examine claims under General Sherman's special field order.

Valid claims to have warrants for twenty acres.

Lease.

Persons holding lease to have certificate of sale.

No warrant to be valid for over two years.

vided for in section seven, for the term of six years; but at any time thereafter, upon the payment of a sum not exceeding one dollar and fifty cents per acre, the person holding such lease shall be entitled to a certificate of sale of said tract of twenty acres from the direct tax commissioner or such officer as may be authorized to issue the same; but no warrant shall be held valid longer than two years after the issue of the same.

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.

Restoration of lands occupied by freedmen under General Sherman's field order not to be made until, &c.

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 after 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.

Commissioner may hold and sell all lands and buildings held by the so-called confederate states and not disposed of, &c.

Proceeds how applied.

When bureau ceases to exist, unexpended sums to go where.

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.

Commissioner to co-operate with private benevolent associations in aid of freedmen, &c.; to provide buildings and furnish teachers and protection.

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.

Immunities and rights of all citizens declared in certain States and districts.

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 restored, 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 concerning the free enjoyment of such immunities and rights, and no penalty or punishment for any violation of law shall be imposed or permitted because 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.

Certain states or districts to be under military protection and jurisdiction.

No discrimination on account of race or color or previous condition of slavery.

Jurisdiction of bureau not to exist in certain States, and to cease in every State when, &c.

SEC. 15. *And be it further enacted*, That all officers, agents, and employés 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 provisions of this act are hereby repealed.

All officers, &c. of bureau to take oath.

Repealing clause.

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 continue 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 Representatives 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 reconsider 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 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, U. S.

July 18, 1866.

CHAP. CCI. — *An Act further to prevent Smuggling and for other Purposes.*

See 1867, ch. 42. *Post*, p. 394.

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.

The terms "vessel" and "vehicle" to include what.

Officers of the customs and other authorized persons may board and search any vessel, &c.

Vessels under way may be compelled to stop;

may be seized, and persons on board arrested for breach of law.

Original appointments, &c. to be filed in custom-house.

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.

Officers of the customs may stop and search any vehicle, &c.

When vehicles, and teams, and contents may be seized and forfeited.

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, 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

Penalty on driver, &c. of vehicle refusing to stop and allow search.

Regulations for search of persons and luggage. Female inspectors.

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 engine or other vehicle, or team used by any person or corporation, as common 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 importation or transportation.

Cars, engines, &c. of common carriers not subject to forfeiture, unless, &c.

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 doing, any goods, wares, or merchandise, contrary to law, or shall receive, conceal, buy, sell, or in any manner facilitate the transportation, concealment, 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 conviction 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 discretion 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.

Penalty for fraudulently or knowingly bringing into the United States any goods, &c. contrary to law; for knowingly receiving, &c. the same.

Possession of goods, &c. sufficient to authorize conviction, unless defendant explains it.

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 daytime, in order to the more effectual discharge of his or their official duties.

Persons authorized to make seizures, &c. may enter lands, buildings, &c. other than dwelling-houses.

SEC. 6. *And be it further enacted*, That if any person shall forcibly assault, resist, oppose, prevent, impede, or interfere with any officer of the customs or his deputy or deputies, or any person assisting them or either of them in the execution of 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 aforesaid, stave, break, throw overboard, destroy, or remove the same, the person 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 seizures, 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 such person so offending 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.

Penalty for forcibly resisting officers of customs, &c. in discharge of their duty; for rescuing or attempting to rescue seized property; for destroying, &c. property to prevent its being seized.

Fine or imprisonment, or both.

Penalty for discharging or using any deadly weapon against such officers, &c. in discharge of their duty.

Fine and imprisonment.

SEC. 7. *And be it further enacted*, That it shall be the duty of the several 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 in which such fine or penalty shall not be voluntarily paid, a state-

Collectors of customs to report within ten days to district attorneys cases of fines and per-

sonal penalties not paid.

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.

Suit to be commenced therefor without delay, unless, &c.

Allowance to district attorneys for services.

Collectors not making report, to forfeit their share of fines, &c.

Vessels held for payment of penalties;

may be proceeded against.

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 holden 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.

In former act "merchandise" to read "goods, wares, and merchandise." 1821, ch. 14. vol. iii. p. 616.

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."

Officers and persons making searches and seizures to disclose authority on request;

may demand assistance of persons within three miles.

Penalty for refusing assistance.

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 or 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.

In all cases of seizure of property for forfeiture, if value is not over $500, duplicate list to be prepared, and appraisement made.

Who to appraise.

Appraisement to be attested.

Fees of appraisers.

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.

If amount of appraisal does not exceed $500, collector to give notice.

Notices to state what.

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.

Claimants of property seized to file claim within twenty days, &c.

Claim to state what.

Bond.

Bond, list, &c. to be sent to district attorney, who shall proceed to obtain condemnation.

If claim is not filed, nor bond given, collector, &c. to notify of sale and sell at auction.

Proceeds of sale.

Sale may be adjourned.

SEC. 13. *And be it further enacted*, That any person claiming to be interested in the property sold under the provisions of the *proceeding* [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.

Persons interested may within three months apply for remission of forfeiture, &c. which may be granted upon proofs, &c.

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.

If not made within three months, proceeds of sale to be distributed.

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 hereinbefore

If perishable property is seized, what proceedings to be had.

Proceedings in case of perishable property.

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.

Remission of fines and forfeitures where amount is not over $ 1000.

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.

Parties claiming a lien on imported goods, &c. to be notified before delivery of goods to owner, &c.

Possession by officers not to discharge lien.

United States, &c. not liable for failure to notify.

[This section repealed. 1867, ch. 188, § 4. *Post*, p. 547.]

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.

Existing penalties not affected hereby, except so specially provided.

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.

Where value of imports is not over $100, they may be entered without triplicate invoice, if, &c.

1863, ch. 76. Vol. xii. p. 737.

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 required by the act of March three, eighteen hundred and sixty-three, entitled "An act to prevent and punish frauds," and so forth, and without submitting the question to the Secretary of the Treasury: *Provided*, That the collector shall be satisfied that the neglect to produce such invoice was unintentional, and that the importation was in good faith and without any purpose of defrauding or evading the revenue laws of the United States.

Goods, &c. at ports on northern, &c. frontiers, shipped thence on a foreign vessel to a foreign port, to be reshipped to a port in the United States on those frontiers, with intent, &c. may be forfeited.

1817, ch. 31, § 4. Vol. iii. p. 351.

Sec. 20. *And be it further enacted*, That if any goods, wares, or merchandise shall, at any port or place in the United States on the northern, northeastern, or northwestern frontiers thereof, 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 said 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

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.

Vessel to pay a tonnage duty.

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.

Steam tug-boats, not of the United States, employed in towing, &c. to forfeit fifty cents a ton for, &c.
Post, p. 410.

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 are 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.

Master of any enrolled or licensed vessel on northern, &c. frontiers, purchasing "sea stores" at any port in adjacent British provinces, to report same at first port of arrival in the United States;
to make oath.

If such articles are found to be in excess, duty to be paid on excess.

Penalty.

Dutiable articles on board and not in report to be forfeited with vessel, &c.

"Saloon stores or supplies" to pay duty.

Penalty.

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

Equipments of such vessels, including boats, and expenses of repairs, to be

entered and pay duty.

Rate of duty.

Penalty for not reporting, &c.

If equipments are purchased or repairs made from necessity, duties may be refunded.

License or enrolment, &c. not to issue to any vessel until equipments and repairs have been accounted for.

Oath and penalty for false oath, &c.

Certificate of registry, &c. fraudulently obtained, to cause forfeiture of vessel.

Provisions of law relating to manifests to apply to vessels owned by foreigners.
1799, ch. 22. Vol. i. p. 627.
Post, p. 394.

Goods, &c. taken in any vessel from one port to another, on northern, &c. frontiers, to be unladen only in open day, unless, &c.
Post, p. 394.

Penalty.

Regulations for unlading at night.

Regulations as to inspectors on vessels destined for one or more ports of the United States.

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 enrolment 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, enrolment, or license, or other record or document granted in lieu thereof, to any vessel shall be knowingly and 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 no goods, wares, or merchandise, taken from any port or place in the United States, on the northern, northeastern, or northwestern frontiers thereof, to a port or place in another collection district of the United States on said frontiers, in any ship or vessel, shall be unladen or delivered from such ship or vessel within the United States but in open day, that is to say, between the rising and the setting of the sun, except by special license from the collector or other principal officer of the port for the purpose, nor at any time without a permit from such collector or other principal officer for such unlading or delivery. And the owner or owners of every vessel whose master or manager shall neglect to comply with the provisions of this section, shall forfeit and pay to the United States a sum not less than one hundred dollars nor more than five hundred dollars: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized, from time to time, to make such regulations as to him shall seem necessary and expedient for unlading at and clearance from any port or place on said frontiers of ships or vessels at night.

SEC. 27. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to make such rules and regulations, from time to time, as to him shall seem necessary, relative to the duties of inspectors authorized by law, to be placed on board of vessels destined for one or more ports in the United States.

SEC. 28. *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 three, 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 all licensed and enrolled and licensed vessels of the United States shall pay the said duty when taking out or renewing their respective enrolments or licenses, if the same has not previously been paid for the calendar year: *And provided further*, That nothing in this act shall be construed to prevent customs officers from collecting such tonnage duty at the entry of any vessel at their respective custom-houses during the calendar year, if the same shall not previously have been paid for such year: *And provided further*, That all vessels which are subject to enrolment or license shall hereafter be liable to the payment of the fees established by law for services of customs officers incident thereto.

Vessels paying tonnage duty only once a year to pay the same at first entry or clearance in each calendar year.
1862, ch. 163, § 15. Vol. xii. p. 558.
1863, ch. 77, § 4. Vol. xii. p. 742.
1865, ch. 80, § 4. Vol. xiii. p. 493.
Proviso.
Proviso.
Proviso.

SEC. 29. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized, whenever he shall think it advantageous to the public service of revenue, to abolish or suspend the offices of naval officer, or any other subordinate office, in any collection district of the United States, except in those enumerated in section nine of the act of May seven, eighteen hundred and twenty-two, and the amendment thereto, by the act of April nine, eighteen hundred and sixty-four, and the port of San Francisco, and to assign the duties of the office or any other subordinate office so abolished or suspended to a deputy collector or inspector of the customs; and so much of all fines, penalties, and forfeitures as would otherwise inure to either of such naval officers shall, after the discontinuance of their offices respectively, be paid into the treasury of the United States, and there credited to the fund for defraying the expenses of collecting the revenue from customs. And the Secretary of the Treasury is hereby further authorized, in all cases in which, in his opinion, the public interest demands it, to clothe deputy collectors, located at ports other than the principal port of entry of their respective districts, with all the powers of their principals appertaining to their official acts.

Offices of naval officer and of any subordinate office may be suspended, except, &c. and, duties thereof assigned to deputy collector or inspector.
1822, ch. 107, § 9. Vol. iii. p. 695.
1864, ch. 54. Vol. xiii. p. 46.
Fines, &c. inuring to such naval officers, after discontinuance.
Deputy collectors may be authorized to exercise powers of their principals.

SEC. 30. *And be it further enacted*, That no officer or clerk whose duty it shall be to make payments on account of the salary or wages of any officer or person employed in connection with the customs or the internal revenue service shall make any payment to any officer or person so employed on account of services rendered, or of salary, unless such officer or person so to be paid shall have made and subscribed an oath that, during the period for which he or she is to receive pay for salary or services rendered, neither he nor she, nor any member of his or her family, has received, either personally or by the intervention of another party, any money or compensation of any description whatever, nor any promises for the same, either directly or indirectly, for services rendered or to be rendered, or acts performed or to be performed, in connection with the customs or internal revenue, nor purchased, for like services or acts, from any importer, (if affiant is connected with the customs, or manufacturer, if affiant is connected with the internal revenue service,) consignee, agent, or custom-house broker, or other person whomsoever, any goods, wares, or merchandise, at less than regular retail market prices therefor. And any person who shall wilfully and falsely take and subscribe said oath, and being duly convicted thereof, shall be subjected to the penalties and disabilities by law prescribed for the punishment of wilful and corrupt perjury.

Salary or wages of persons employed in the customs or internal revenue.
Service not to be paid until oath is made, &c.
Falsely taking the oath to be perjury.

Goods, &c. seized for violation of laws relating to customs to remain in custody of collector, &c.

SEC. 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.

Proceedings.

Fines, &c. how disposed of.

1799, ch. 22, § 91. Vol. i. p. 697.

Certain duties or fees to be remitted or refunded to collectors or surveyors.

SEC. 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.

1861, ch. 45. Vol. xii. p. 292.

1864, ch. 171. Vol. xiii. p. 202.

1864, ch. 113. Vol. xiii. p. 120.

1865, ch. 80. Vol. xiii. p. 491.

Where fees or emoluments of any collector, &c. are insufficient compensation, part of his incidental expenses may be paid.

Incidental expenses before incurred and not paid.

Fees to be placed to credit of what fund.

SEC. 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.

All officers, &c., not to be allowed more than pro rata pay for the time they serve, and none to receive more than their maximum rate.

1864, ch. 7, § 1. Vol. ix. p. 3.

SEC. 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 whomsoever, 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.

Penalty for offering to officers

SEC. 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 influence or induce such officer or other 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.

of revenue, &c. any gift or bribe, to induce a violation of official duty; upon officer, &c. for asking or receiving any gift or bribe.

Fine and imprisonment.

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 exaction 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 said action.

Suits for recovery of duties illegally exacted not hereafter to be maintained, unless plaintiff within thirty days after notice of appearance of defendant gives bill of particulars of his demand.

Bill to state what.

If such bill is not served, judgment to be entered against the plaintiffs.

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 the 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.

Parts of building may be bonded for storage of grain.

Repeal of part of 1854, ch. 30. Vol. x. p. 270.

SEC. 38. *And be it further enacted*, That for the purpose of estimating 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.

Number of bushels of grain to be ascertained by weight.

Number of pounds to a bushel.

SEC. 39. *And be it further enacted*, That in order to facilitate the execution 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.

Warrants for seizure of invoices, books, and papers; who may issue and have seized. 1863, ch. 76, § 7. Vol. xii. p. 740.

SEC. 40. *And be it further enacted*, That if any collector of the customs, 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

Neglect, &c. of any officer, &c. to pay over money received, to be cause of removal and forfeiture of dues.

1849, ch. 110, § 1. Vol. ix. p. 398.

Moneys received for custody to be accounted for as storage.

1841, ch. 35, § 5. Vol. v. p. 432.

other purposes," approved March three, eighteen hundred and forty-nine, he shall be subject to be removed from office, and to forfeit to the United States any share or part of the moneys withheld to which he might otherwise be entitled; and all moneys received by collectors for the custody of goods, wares, and merchandise in bonded warehouses, shall be accounted for as storage under the provisions of the fifth section of the act of March third, eighteen hundred and forty-one.

Masters of foreign vessels arriving in waters of the United States from foreign places adjacent to northern, &c. frontiers, to report at office of nearest collector.

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.

Forfeiture.

Penalty upon collectors or inspectors of steamboats for not making returns, &c. required by law.

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. i. p. 309.

1844, ch. 105, § 7. Vol. v. p. 696.

1799, ch. 22, § 103. Vol. i. p. 701.

1865, ch. 80, § 10. Vol. xiii. p. 494.

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.

Pending proceedings not affected.

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.

CHAP. CCII. — *An Act to establish certain Post-Roads.* 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: — Certain post-roads established.

NEW YORK. New York.

From Tarrytown to White Plains.

MARYLAND. Maryland.

From Beuna Vista, via Mitchellsville, to Coopersville.

RHODE ISLAND. Rhode Island.

From Blackstone, via Pascoag, Slatersville, Mohegan, and Mapleville, to Burrillville.

IOWA. 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. 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 Pauquette.

From Spring Green, via Plain and White Mound, to Reedsburg.

MINNESOTA. 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 Tokan, 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. 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 Getiad, and Oakwood, to Mound City.

Missouri.

MISSOURI.

From Kansas City, via Little Santa Fe, Aubrey, Kansas, Cold Water Grove, Rockville, and Trading Post, to Fort Scott.

Arkansas.

ARKANSAS.

From Fayetteville, via Rhea's Mill, Cincinnati, and Telegraph, to Fort Gibson.

Mississippi.

MISSISSIPPI.

From Ripley to Saulsbury, Tennessee.

Alabama.

ALABAMA.

From Tuscaloosa, via Foster's store, Union, and Clinton, to Gainesville.

Montana.

MONTANA TERRITORY.

From Sioux City, Iowa, via the Nebraska and Yellow Stone River routes, to Walla Walla, Washington Territory.

Nevada.

NEVADA.

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 Antonia, to Silver Peak.

From Ione, via Ophir Canon, Boiling Springs, and San Antonia, to Crystal Springs.

Oregon.

OREGON.

From Oregon City, via Cutting Mill, Glad Tidings, Silverton, Sublimity, and Scio, to Lebanon.

From Portland, via Union School House, Philip Foster's on Clackemas, and Cuttingsville, to Silverton.

From Dallas, via Antelope Valley, Camp Watson, John Day City, Canyon City, Marysville, 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.

California.

CALIFORNIA.

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 Bolimas, to Petaluma.

From Woodland, via Cache Creek, to Buckeye.

West Virginia.

WEST VIRGINIA.

From Sistersville, in Tyler County, via Twiggs, to Hebron, in Pleasants County.

From Sago, in Upshur County, to Huttonsville, in Randolph County.

ILLINOIS. Illinois.

From Winchester to Manchester.

From Elkhart, in Logan County, direct to Sweet Water, in Menard County.

INDIANA. Indiana.

From Nashville, in the county of Brown, to Morgantown, in the county of Morgan.

APPROVED, July 18, 1866.

CHAP. CCVIII.- *An Act making Appropriations for the Legislative, Executive, and Judicial Expense of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-seven, and for other Purposes.* July 23, 1866.

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, executive, and judicial expenses appropriation.

Legislative. — For compensation and mileage of senators, two hundred and fifty-two thousand five hundred dollars. Legislative.

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 one hundred and sixty 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-two 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. Pay and mileage of senators, officers, clerks, &c.

For contingent expenses of the Senate, viz: — Contingent expenses.

For stationery, seventeen thousand dollars. Stationery.

For newspapers, five thousand dollars. Newspapers.

For Congressional Globe, twenty thousand dollars. Congressional Globe.

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 Additional compensation to reporters.

for the second regular session of the thirty-ninth Congress, eight hundred dollars each, four thousand dollars.

Globe and Appendix; sets to new senators. Proviso.

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.

Globe and Appendix.

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.

Clerks to committees, &c.

For clerks to committees, pages, horses, and carryalls, twenty thousand dollars.

Capitol police. Proviso.

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.

Heating and ventilating.

For expenses of heating and ventilating apparatus, twenty thousand five hundred dollars.

Miscellaneous.

For miscellaneous items, thirty thousand dollars.

Pay and mileage of representatives, &c.; of officers, clerks, &c.

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; clerk to the sergeant-at-arms, one thousand eight hundred 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.

Contingent expenses of House. Cartage.

For contingent expenses of the House of Representatives, viz: —

For cartage, two thousand dollars.

For clerks to committees and temporary clerks of the House of Representatives, eighteen thousand five hundred and seventy-six dollars. Clerks to committees and temporary clerks.

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. Globe and Appendix.

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. Folding.

For fuel and lights, pay of engineers, firemen, and laborers, repairs, and materials, fifteen thousand dollars. Fuel, lights, &c.

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

For horses, carriages, and saddle horses, nine thousand dollars. Horses, carriages, &c.

For laborers, eight thousand four hundred dollars. Laborers.

For miscellaneous items, thirty thousand dollars. Miscellaneous.

For newspapers, twelve thousand five hundred dollars. Newspapers.

For pages and temporary mail boys, ten thousand dollars. Pages, &c.

For reporting and publishing proceedings in the Daily Globe, ten thousand five hundred dollars. Reporting, &c. in Daily Globe.

For stationery, eighteen thousand dollars. Stationery.

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. Additional pay to reporters.

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. Public printing. Pay of superintendent, clerks, &c.

For contingent expenses of his office, viz: for stationery, postage, advertising, furniture, travelling expenses, horses and wagons, and miscellaneous items, two thousand dollars. Contingencies.

For the public printing, three hundred and sixty-nine thousand four hundred dollars. Public printing.

For paper for the public printing, four hundred and fifty-six thousand eight hundred and ninety-two dollars. Paper for public printing.

For the public binding, three hundred and fifty-two thousand two hundred and four dollars. Binding.

For mapping in cases pending in the Supreme Court of the United States, three thousand dollars. Mapping.

For lithographing and engraving for the Senate and House of Representatives, seventy-five thousand dollars. Lithographing and engraving.

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. Statutes at Large, vol. xiii.

Library of Congress. — For compensation of librarian, five assistant librarians, messenger, and laborers, twelve thousand six hundred dollars. Library of Congress. Pay of librarian, &c.

For contingent expenses of said library, two thousand dollars. Contingencies.

For purchase of books for said library, eight thousand dollars. Books.

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. Botanic garden and greenhouses.

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. Superintendent and assistants.

Files of newspapers.

For purchasing files of the leading American newspapers for said library, one thousand five hundred dollars.

Court of claims. Judges, solicitor, &c.

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.

Attorneys to take testimony.

For compensation of attorneys to attend to taking testimony, witnesses, and commissioners, one thousand dollars.

Payment of judgments in favor of claimants.

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.

Proviso.

President.

Executive. — For compensation of the President of the United States, twenty-five thousand dollars.

Secretary, steward, &c.

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.

Contingencies.

For contingent expenses of the Executive office, including stationery therefor, four thousand dollars.

Department of State. Pay of Secretary, &c.

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. Pamphlet laws, &c.

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.

Publishing laws in lately insurgent States.

For publishing the laws of the thirty-seventh and thirty-eighth congresses in two newspapers in each of the lately insurgent States, fifteen thousand dollars.

Proof-reading, &c.

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 stationery, blank books, furniture, fixtures, and repairs, five thousand dollars.

Miscellaneous.

For miscellaneous items, two thousand five hundred dollars.

Copper-plate printing, &c.

For copper-plate printing, books, and maps, five thousand dollars.

Extra clerk hire, &c.

For extra clerk hire and copying, ten thousand dollars.

Northeast executive building.

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. Pay of Secretary, assistants, &c.

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.

1st comptroller.

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.

2d comptroller.

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.

1st auditor. 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.

2d auditor. 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.

3d auditor. 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.

4th auditor. 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.

5th auditor. 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.

Auditor for Post Office Department. 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.

Treasurer, assistant treasurer, &c. 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 sixty-nine thousand three hundred and eighty dollars.

Register, assistant register, &c. 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.

Solicitor. 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.

Commissioner of customs. 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.

Light-house board. For compensation of the chief clerk, clerks, messenger, and laborer of the light-house board, nine thousand two hundred and forty dollars.

Comptroller of the currency. For compensation of the comptroller of the currency, deputy comptroller, clerks, messengers, and laborers, one hundred and twenty thousand two hundred dollars.

Paper, special dies, and printing of circulating notes. 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.

Commissioner, &c. of internal revenue. 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.

Office furniture, &c. 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 Treasury Department; in office of the Secretary. *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.

Pay of temporary clerks. For compensation of temporary clerks in the Treasury Department, and for additional compensation to officers and clerks in the same department,

Clerks may be classified.

Part of former unexpended appropriation to be how divided.
1865, ch. 73. Vol. xiii. p. 450.

one hundred and sixty thousand dollars: *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 and second classes, 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.

See *Post*, p. 569.

Contingent expenses in the office of 1st comptroller;

In the office of the first comptroller:

For furniture, public documents, State and Territorial statutes, postage, and miscellaneous items, one thousand dollars.

of 2d comptroller;

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.

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 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.

of 3d auditor;

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.

of 4th auditor;

In the office of the fourth auditor:

For contingent expenses of the office, including two daily newspapers, three thousand dollars.

of 5th auditor;

In the office of the fifth auditor:

For 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, six thousand dollars.

of treasurer;

In the office of the treasurer:

For contingent expenses of the office, seven thousand five hundred dollars.

of register;

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.

of 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.

of commissioner of customs.

Office of the commissioner of customs:

For stationery, miscellaneous items, and office furniture, three thousand dollars.

Light-house board, viz:

Contingent expenses of light-house board;

For miscellaneous expenses and postage, six hundred dollars.

Office of the comptroller of the currency:

of comptroller of currency.

For furniture and miscellaneous items, five thousand dollars.

Stationery.

For stationery for the Treasury Department and its several bureaus, one hundred and twenty-five 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, 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.

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.

Pay of Secretary, &c.;

of commissioner of general land office;

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.

of additional clerks. 1855, ch. 207. Vol. x. p. 701.

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.

Proviso.

Of commissioner of Indian affairs;

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.

of commissioner of pensions;

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.

additional clerks; Proviso.

For additional clerks in the pension office, twenty-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.

Contingent Expenses — Department of the Interior. — Office of the Secretary of the Interior:

Office of Secretary.

For stationery, furniture, and other contingencies, and for books and maps for the library, seven thousand dollars.

Patent Office.

For casual repairs of the patent office building, twelve thousand five hundred dollars.

Distributing journals and documents. Vol. xi. p. 253. 1859, ch. 22. Vol. xi. p. 379.

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.

Fuel and lights.

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:

Office of 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.

Contingent expenses of commissioner of pensions;

Office of the 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.

of commissioner of public buildings;

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.

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:

Office in Wisconsin and Iowa, when to be abolished.

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 surveyor-general of Washington Territory, and the clerks in his office, six thousand five hundred dollars.

Recorder of land titles in Missouri.

For compensation of 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 office rent of the surveyor-general of Kansas and Nebraska, fuel, and 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 office for the surveyor-general 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, safe-keeping of prisoners, and prosecution of crime.

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-

ecutions for offences committed against the United States, and for the safe-keeping of prisoners, in addition to the unexpended balances of appropriations 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 appropriations into the treasury being, and the same is hereby, repealed, and to replace to the credit of the judiciary fund the amount of four thousand dollars, withdrawn therefrom and expended upon the custom-house at New Orleans, three hundred and four thousand dollars.

Law requiring unexpended balances of appropriations for the judiciary fund, to return to treasury, repealed. 1865, ch. 73. Vol. xiii. p. 452.

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.

Building for Federal courts in New Orleans.

War Department. — For compensation of the Secretary of War, assistant 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.

War Department. Pay of Secretary, &c.

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.

Office of adjutant-general;

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.

of quartermaster-general;

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 compensation 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 dollars; 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.

of paymaster-general; number and pay of certain clerks;

For compensation of the clerks, messenger, and laborers in the office of the commissary-general, eighty-five thousand six hundred and forty dollars.

of commissary-general;

For compensation of the clerks, messenger, and laborer in the office of the surgeon-general, forty-three thousand eight hundred and forty dollars.

of surgeon-general;

For compensation of the clerks, messengers, and laborer in the office of the chief engineer, twenty-eight thousand seven hundred and forty dollars.

of chief engineer;

For compensation of the clerks and messenger in the office of the colonel of ordnance, sixty thousand and forty dollars.

of colonel of ordnance;

For compensation of the clerks in the office of military justice, seven thousand two hundred dollars.

of military justice.

Contingent Expenses of the War Department. — Office of the Secretary of War:

Contingent expenses.

For blank books, stationery, labor, books, maps, extra clerk hire, and miscellaneous items, twenty thousand dollars.

Office of Secretary of War;

Office of the adjutant-general:

For blank books, stationery, binding, and miscellaneous items, twenty-five thousand dollars.

of adjutant-general;

Office of the quartermaster-general:

For blank books, stationery, binding, and miscellaneous items, twenty thousand dollars.

of quartermaster-general;

Office of the paymaster-general:

For blank books, stationery, binding, and miscellaneous items, ten thousand dollars.

of paymaster-general;

Office of the commissary-general:

For blank books, stationery, and binding, including rent of office and hire of watchmen, twenty thousand dollars.

of commissary general.

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.

of surgeon-general;

Office of the surgeon-general:

For blank books, stationery, binding, and miscellaneous items, including rent of office, fifteen thousand dollars.

of chief of ordnance;

Office of the chief of ordnance:

For blank books, stationery, binding, and miscellaneous items, ten thousand dollars.

of military justice.

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 17th 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.

Building corner F and 15th streets.

For the General Purposes of the Building corner of F and Fifteenth streets. — For superintendent, watchmen, rent, fuel, lights, and miscellaneous items, fifteen thousand dollars.

Navy Department.

Pay of Secretary, &c.

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 one hundred and forty dollars.

Bureau of yards and docks;

For compensation of the chief of the bureau of navy 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.

Contingent expenses.

Office of Secretary of Navy.

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.

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 equipment and recruiting;

Bureau of navigation:

For stationery, blank books, and miscellaneous items, two thousand four hundred dollars. of navigation;

Bureau of ordnance:

For stationery and miscellaneous items, one thousand three hundred dollars. of ordnance;

Bureau of construction and repair:

For stationery and miscellaneous items, one thousand dollars. of construction and repair;

Bureau of steam engineering:

For stationery and miscellaneous items, two thousand five hundred dollars. of steam engineering;

Bureau of provisions and clothing:

For stationery and miscellaneous items, one thousand five hundred dollars. of provisions and clothing;

Bureau of medicine and surgery:

For blank books, stationery, and miscellaneous items, eight hundred dollars. of medicine and surgery

To defray the expense of introducing water into the naval academy grounds and buildings at Annapolis, Maryland, nine thousand dollars. Water at naval academy.

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. Southwest executive building.

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. Post Office Department. Pay of Postmaster-General, &c.

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. Contingent expenses of Post Office Department.

Money Order Bureau. — For compensation of superintendent and the clerks in his office, seven thousand five hundred dollars. Money order bureau.

Topographer. — For preparing and publishing post-route maps of the United States, ten thousand dollars. Topographer.

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. Department of agriculture.

For contingencies, viz: For stationery, purchase of library, laboratory, rent, and miscellaneous items, eleven thousand five hundred dollars. Contingencies.

For collecting agricultural statistics, ten thousand dollars. Agricultural statistics.

For purchase and distribution of new and valuable seeds, viz: Purchase and distribution of seeds.

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. Proviso.

For employés in seed-room, five thousand two hundred dollars.

Propagation, &c. of plants, cuttings, and shrubs.

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.

Proviso.

Experimental garden.

For experimental garden in reservation number two, eight thousand eight hundred dollars.

Mint at Philadelphia.

Mint at Philadelphia. — For salaries of the director, treasurer, assayer, melter and refiner, chief coiner and engraver, assistant assayer, and seven clerks, thirty-five thousand five hundred dollars.

For wages of workmen and adjusters, one hundred and twenty-five thousand dollars.

For specimens 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.

Branch at San Francisco.

Branch Mint at San Francisco, California. — For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks, thirty-two thousand dollars.

For wages of workmen and adjusters, two hundred thousand dollars.

For incidental and contingent expenses, repairs and wastage, one hundred thousand dollars.

Assay office, New York.

Assay Office, New York. — For salaries of superintendent, assayer and melter, and refiner, assistant assayer, officers and clerks, twenty-five thousand seven hundred dollars.

For wages of workmen, forty thousand dollars.

For incidental and contingent expenses, thirty-five thousand dollars.

Branch mint at Denver.

Branch Mint at Denver. — For superintendent, assayer, melter, refiner, coiner, and clerks, thirteen thousand dollars.

For wages of workmen, twenty thousand three hundred and one dollars.

For incidental and contingent expenses, twelve thousand dollars.

Independent treasury.

Independent Treasury. — For salaries of the assistant treasurers 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.

Additional salary of treasurer at Philadelphia;

For additional salary of the treasurer of the mint at Philadelphia, one thousand dollars.

at New Orleans;

For additional salary of the treasurer of the branch mint at New Orleans, five hundred dollars.

at Denver.

For additional salary of the treasurer of the branch mint at Denver, five hundred dollars.

Clerks at office of assistant treasurer at Boston;

Appointment of clerks in lieu of those now authorized, and their salaries.

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; two clerks, at a salary of fifteen 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 dollars. Salaries of clerks, &c. at Philadelphia;

For salary of additional clerks in the office of the assistant treasury at Philadelphia, six thousand five hundred and eighty-five dollars. additional clerks;

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. at New York;

For salaries of clerks, messenger, and watchmen in the office of the assistant treasurer at Saint Louis, nine thousand seven hundred and sixty dollars. at Saint Louis;

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 assistant treasurer at New Orleans, nine thousand six hundred dollars. at New Orleans;

For compensation to stamp clerk in the office of the assistant treasurer at San Francisco, two thousand four hundred dollars. at San Francisco;

For compensation of the depositary at Santa Fe, and the clerk, watchman, and porter in his office, four thousand eight hundred dollars. at Santa Fe;

For salary of the clerk to the acting assistant treasurer at Denver, one thousand eight hundred dollars. at Denver.

For salaries of additional clerks, and additional compensation of officers and clerks, under act of August sixth, eighteen hundred and forty-six, for the better organization of the treasury, at such rates as the Secretary may deem just and reasonable, sixty thousand dollars. Additional clerks, &c. 1846, ch. 90. Vol. ix. p. 59.

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. Designated depositaries.

For compensation to special agents, under act of the sixth of August, eighteen hundred and forty-six, eight thousand dollars. Special agents.

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 inspection law, including the expenses of their annual meeting, eighty-five thousand dollars. Inspectors of steamboats. 1852, ch. 106. Vol. x. p. 61.

For contingent expenses under the act of the sixth of August, eighteen hundred and forty-six, for the collection, safe-keeping, transfer, and disbursement 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. Contingent expenses.

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, apparatus, 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. Checks and certificates of deposit. Machinery, fixtures, &c. of branch mints at New Orleans, Charlotte, and Dahlonega may be removed or sold. These branch mints may be discontinued.

GOVERNMENTS IN THE TERRITORIES. Government in the territories.

Territory of New Mexico. — For salaries of governor, chief justice, and two associate judges, and secretary, twelve thousand dollars. Territory of New Mexico.

For contingent expenses of said 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 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, eighteen 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, 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.

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. Office of attorney-general.

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. Private land claims in California.

Justices of the Supreme Court of the United States. — For salaries of the chief justice and nine associate justices, sixty thousand five hundred dollars. Justices of supreme court.

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. District judges.

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. Courts in the District of Columbia.

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 such of the annual reports of that court as shall be hereafter published. Reporter of decisions. Salary fixed. Three hundred copies of reports to be delivered.

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. Additional pay to certain clerks for services under amnesty proclamation. Vol. xiii. p. 758.

For compensation of the district attorneys, nineteen thousand two hundred and fifty dollars. District attorneys.

For compensation of the district marshals, twelve thousand dollars. Marshals.

For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of treasury notes, two million dollars. Expenses of loans and treasury notes.

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 thirtieth, 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. Salaries of collectors, assessors, &c. of internal revenue. 1864, ch. 173, § 44. Vol. xiii. p. 239

For compensation to the laborer in charge of the water-closets in the capitol, five hundred and thirty-eight dollars. Laborers in capitol.

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. Public gardener and laborers.

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; how borne.

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 centum 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.

Special tax.

Police telegraph.

For the construction of a police telegraph in the city of Washington, fifteen thousand dollars.

Salary of treasurer of the United States established.

SEC. 2. *And be it further enacted*, That from and after the thirtieth day of June, eighteen hundred and sixty-six, the annual*ly* 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.

Salary of commissioner of public buildings established.

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.

Household of the President. Private secretary. Assistant secretary.

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.

Short-hand writer.
Clerk of pardons.
Clerks.
Steward.
Duties and bond of steward.
Appropriation.

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.

Office of assistant solicitor of treasury established.
Salary.
Law clerk authorized in office of attorney-general.
Appropriation.

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.

Pay of female clerks and counters established.
Appropriation.

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 capitol, 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.

Addition of twenty per cent to pay of certain clerks, messengers, watchmen, and laborers continued.
1864, ch. 147, § 3. Vol. xiii. p. 160.
Appropriation.
Post, p. 449.

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

Additional and other clerks in Navy Department.
In bureau of yards and docks;
of navigation;
of equipment and repair;
of ordnance;
of construction and repair

Clerks in bureau of steam navigation; of provisions and clothing; of medicine and surgery. Appropriation.

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 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 appropriated, out of any money in the treasury not otherwise appropriated.

Increase of pay of certain inspectors of customs continued. 1864, ch. 71. Vol. xiii. p. 61.

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 continued in force.

Adjustment of accounts of Stewart Gwynn. 1865, ch. 73, § 1. Vol. xiii. p. 458.

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 printing 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 authorized to make said adjustment without deducting for expenditures made by said department, or under authority thereof, upon said presses and machinery for the purpose of improving and repairing the same.

Appropriation for purchase of Indian annuity goods in lieu of certain destroyed by fire. Vol. xi. pp. 659, 749.

Sec. 11. *And be it further enacted*, That the sum of thirty-nine thousand 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.

Appropriation to pay certain informers their part of fines, penalties, and forfeitures.

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 treasury 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 treasury not otherwise appropriated.

Approved, July 23, 1866.

July 23, 1866.
1862, ch. 130, § 5. Vol. xii. p. 504.
See *Post*, p. 569.

CHAP. CCIX. — *An Act to amend the fifth Section of an Act 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," approved July 2, 1862, so as to extend the Time within which the Provisions of said Act shall be accepted and such Colleges established.*

Time for complying with provisions of act granting public lands to States, &c. for agricultural, &c. colleges, &c. extended.

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 several 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 acceptance 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 acceptance 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

Where territory becomes a State, the new State entitled to benefits of act, and how.

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.

States already accepting to have five years more within which to provide one college

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.*

July 23, 1866.

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.

No vacancy in the office of associate justice of supreme court to be filled until, &c.

Supreme court thereafter to consist of, &c.

Quorum; terms.

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.

Circuits established.

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.*

July 23, 1866.

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 preclude a judicial examination and adjustment thereof.

Title of the United States to land in the city of Benicia granted to that city and its successors in trust.

Limit to grant.

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

Title of the United States to land in the town of Santa Cruz granted to that town in trust.

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.

Limit to grant.

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 home-tead 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 as 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.

Lands granted to Kansas for the benefit of the St. Joseph and Denver City Railroad Company.

Location of road and branches.

If any of granted lands have been sold or reserved, &c. other lands may be selected in lieu thereof.

Selected lands to be within twenty miles of road.

Lands granted to be applied exclusively in the construction of railroad;

but not for any road for which previous grant has been made.

Lands heretofore reserved exempted from the operation of this act.

Right of way.

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 the 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 increased minimum price, as aforesaid: *Provided*, That actual and bona fide settlers, under the provisions of the pre-emption and homestead laws

Remaining lands not to be sold for less than double the minimum price;

to be exposed to public sale.

settlers under homestead and

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 settlers on any of said reserved sections, under the provisions of the homestead 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.

pre-emption laws.

Settlers under homestead laws when entitled to patents for eighty acres each.

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 compensation, 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 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 hereinbefore 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 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 said sections of said 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 section 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 hereinbefore made, the lands remaining unpatented shall revert to the United States.

Conditions of grant.

Lands how to inure to the benefit of the company.

If road does not complete one section of road each year, the right to the lands for said section is forfeited.

If road is not completed in ten years, lands unpatented to 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.

When maps of route of road are filed, lands to be withdrawn from market.

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.

Mail to be carried over road, and at what price.

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 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.

Right of way granted to the railroad company.

Materials for construction of road.

Extent of grant.

Grounds for shops, &c.

SEC. 7. *And be it further enacted*, That the acceptance of the terms,

Acceptance of this act to be in writing, and within six months.

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.

July 23, 1866.

CHAP. CCXIII. — *An Act to regulate the Registering of Vessels.*

Act 1866, ch. 8. *Ante*, p. 3, not to limit act 1852, ch. 4. Vol. x. p. 149.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asembled, 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.

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 said reservation not exceeding 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.

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.*

1861, ch. 62. Vol. xii. p. 320. 1862, ch. 181. Vol. xii. p. 578. *Post*, p. 374.

Titles of officers of metropolitan police.

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 employés 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

Additional officers and men authorized.

perform such other duties as the major, by direction or with the approval of the commissioners, may prescribe; twenty sergeants, and fifty patrolmen or privates.

Authority and jurisdiction of certain justices of the peace. Vol. xii. p. 580.

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, authorizing the selection of justices of the peace by the board of police, to officiate 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 receipt therefor, 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.

Fines, to whom paid, and mode of payment.

Licenses for sale of intoxicating drinks.

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.

Uniform of the police.

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 conformity with such rules, at his own expense and risk, and he shall be removed from such force for not complying with such rules.

Property clerk of police to have powers of notary public.

Powers and duties.

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 deliver 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 representatives to appear, when the same may be delivered and receipted 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 returned 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 District within one year from the date of such return, may, unless specially claimed by the owner within that time, be thereafter treated as other unclaimed, abandoned, or lost property or money, as provided in the act of July sixteenth, eighteen hundred and sixty-two.

Property or money, the proceeds of crime, not called for as evidence within one year, to be treated as abandoned.

Animals, or property other than money, when and how may be placed in custody of the owners.

Perishable property.

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 property 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.

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 therefor, unless, &c.

Bond.

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.

Sureties on bond, when to be prosecuted.

Detectives arresting 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 hereof.

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, assent 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

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.* July 23, 1866.

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 their 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

Certain real property in the county of Washington may be sold for taxes.

Notice of time and place of sale;

to state what.

Purchase-money how paid.

When and how purchaser to receive title.

Owners may redeem within two years.

Mode of redemption.

If purchaser fails to pay residue of purchase-money.

No sale to be made of improved property, if there is thereon sufficient personal property.

Minors, mortgagees, and those having equitable interests to have what time within which to redeem.

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.

Sale may be adjourned.

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.

Collector of levy court may collect any tax by distress and sale.

Sale not to be made, unless, &c.

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 of the goods and chattels of the person chargeable therewith, wherever the same may be found in said county, out of the corporate limits of Washington and Georgetown; but no such sale shall be made unless ten days' previous notice thereof be given in some newspaper printed in the city of Washington.

Levy court may demand of Washington or Georgetown the proportion of expenses, although, &c.

1812, ch. 117. Vol. ii. p. 771.

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.

CHAP. CCXVII. — *An Act relating to Public Schools in the District of Columbia.*

Cities of Washington and Georgetown to pay to trustees of colored schools the proportionate part of certain school moneys.

1864, ch. 156, § 18. Vol. xiii. p. 191.

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 over 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.

Money when to be payable.

Interest.

An action of debt may be maintained for those moneys.

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.

CHAP. CCXVIII. — *An Act to incorporate the Metropolitan Mining and Manufacturing Company.* 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 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.

Metropolitan Mining and Manufacturing Company incorporated.

Subscriptions to stock.

Who may subscribe.

Powers of corporation.

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.

Directors, number, how and when chosen.

Votes.

General meetings of stockholders, how notified.

First election.

President.

Quorum.

If election is not made at proper time, company not to be dissolved, &c.

Vacancies in office of director, how filled.

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.

Appointment and pay of secretary and other officers, agents, and clerks.

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

Capital stock, how called in.

If stockholders, &c. do not pay instalments, &c.

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.

Fresh subscriptions may be opened.

No stockholder in arrears to vote

Authority of president and directors. By-laws.

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.

Business of mining may be carried on.

Real estate.

Bonds.

Proviso.

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.

Lands may be sold or leased.

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.

Stock how transferred.

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.

This act may be altered, &c.

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.

July 23, 1866.

CHAP. CCXIX. — *An Act to quiet Land Titles in California.*

Certain lands selected by California confirmed to that State.

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-

Certain selections not confirmed.

State not to receive more land for school, &c. purposes

ceive under this act a greater quantity of land for school or improvement purposes than she is entitled to by law. 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.

Where selections are upon lands surveyed by authority of the United States register to be notified

Notice to be the date of State selection.

Commissioner of general land office to do what.

SEC. 3. *And be it further enacted*, That where the selections named in section one of this act have been made from 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, and the land sold to purchasers in good faith under the laws of the State, such selections shall, from the date of the passage of this act, when marked off and designated in the field, have the same force and effect as the pre-emption rights of a settler upon unsurveyed public land; and if, upon survey of such lands by the United States, the lines of the two surveys shall be found not to agree, the selection 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 pre-emptors 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.

Where selections are upon lands surveyed only by State authority, and lands are sold, selections to have same effect as certain pre-emption rights.

If on 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.

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 State 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-

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.

If found not to conform.

If State claims as swamp, &c. lands any not so represented in

map, character of land how to be determined.

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.

Lists of lands selected and of swamp, &c. lands claimed by State, to be sent to 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.

State may select for school purposes lands in lieu of certain sixteen and thirty-sixth sections. 1853, ch. 145. Vol. x. p. 244.

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 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.

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.

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 coterminous 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.

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

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.

over said land, and quantity set off.

1864, ch. 194, §§ 6, 7. Vol. xiii. p. 334.

Land not set off, subject to general land laws of the United States.

Rights of bona fide pre-emption claimants not interfered with.

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.

Appeals from decrees of district courts respecting surveys of certain private land claims after July 1, 1865, to circuit court

Decision of circuit court to be final.

Appeal from certain decrees of district courts.

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.*

July 24, 1866.

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.

Telegraph companies may maintain and operate lines of telegraph over public domain, along post, &c. roads, and across navigable waters of the United States.

Lines to be so constructed as not to obstruct, &c.

Materials for construction, &c. may be taken from public lands.

Lands may be pre-empted for stations, not exceeding, &c. and not within, &c.

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.

Telegrams for the government to have priority of transmission.

Rates to be annually fixed.

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

Rights and privileges not to be transferred.

The United States may purchase for postal, &c. purposes, telegraph lines.

Value, how ascertained.

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.

Telegraph companies to file written acceptance of this act, before exercising any powers granted hereby.

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.*

See 1867, ch. 174. *Post*, p. 515.

Number allowed in each grade of line officers on the active list of the navy.

Increase in grades, how made.

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.

Who may be promoted to grade of rear-admiral on retired list.

Appointments of certain line officers on active list from volunteer naval service.

If by these appointments number in any grade exceeds that allowed by law.

Authority exhausted when the number of volunteer officers is once appointed.

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.

Board for examination of candidates from the naval volunteer service.

Report and selections.

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

What volunteer naval offi-

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.

Officers may appear before board.

Volunteer officers at sea or on foreign stations.

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.

Secretary of Navy may retain or appoint volunteer officers in the navy.

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.

Lieutenant commanders; may be assigned to what duty.

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.

Pay of the admiral of the navy.

His secretary.

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.

Naval constructors and first and second assistant engineers.

SEC. 8. *And be it further enacted*, That all acts and parts of acts inconsistent herewith are hereby repealed.

Repeal of inconsistent laws.

APPROVED, July 25, 1866.

CHAP. CCXXXII. — *An Act to revive the Grade of General in the United States Army.* July 25, 1866.

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.

Grade of general of the army of the United States revived.

Appointment, &c.

SEC. 2. *And be it further enacted*, That the pay proper of the general shall be four hundred dollars per month; and his allowance 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 lieutenant 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 each 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.

Pay and allowances of the general.

1864, ch. 14, § 2. Vol. xiii. p. 12.

Chief of staff.

Repeal of 1865, ch. 85. Vol. xiii. p. 500.

Aides, their number, rank, and pay.

Staff of lieutenant general.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCXXXIII. — *An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-seven, and for other Purposes.*

Consular and diplomatic expenses appropriation.

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:

Envoys extraordinary, ministers, and commissioners.

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, Argentine Confederation, Paraguay, Japan, and Salvador, three hundred and eight thousand five hundred dollars.

Secretaries and assistant secretaries of legation.

For salaries of secretaries of legation, thirty thousand dollars.

For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.

Interpreters.

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.

Contingent expenses.

For contingent expenses of all the missions abroad, fifty thousand dollars.

For contingent expenses of foreign intercourse, sixty-five thousand dollars.

Barbary powers.

For expenses of intercourse with the Barbary powers, three thousand dollars.

Consulates in the Turkish dominions.

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.

American seamen.

For the relief and protection of American seamen in foreign countries, two hundred thousand dollars.

Rescuing seamen.

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.

Blank books, stationery, &c.

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.

Office rent.

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.

Consuls general, consuls, &c.

For salaries of consuls general, consuls, commercial agents, and thirteen consular clerks, including loss by exchange thereon, namely:

Consulates general.

I. CONSULATES GENERAL.

SCHEDULE B.

Alexandria, Calcutta, Constantinople, Frankfort-on-the-Main, Havana, Montreal, Shanghai.

Consulates.

II. CONSULATES.

Schedule B.

SCHEDULE B.

Acapulco, Aix-la-Chapelle, Algiers, Amoy, Amsterdam, Antwerp, Aspinwall, Bankok, Basle, Belfast, Beirut, Buenos Ayres, Bordeaux, Bre-

men, Brindisi, Boulogne, Barcelona, Cadiz, Callao, Candia, Canton, Chin Kiang, Clifton, Coaticook, Cork, Demarara, Dundee, Elsinore, Erie, Foo-Choo, Funchal, Geneva, Genoa, Gibraltar, Glasgow, Goderich, Guaymas, Halifax, Hamburg, Havre, Honolulu, Hong-Kong, Hankow, Jerusalem, Kanagawa, Kingston, Kingston in Canada, La Rochelle, Laguayra, Lahaina, Leeds, Leghorn, Leipsic, Lisbon, Liverpool, London, Lyons, Malaga, Malta, Manchester, Matanzas, Marseilles, Mauritius, Melbourne, Messina, Moscow, Munich, Nagasaki, Naples, Nassau (West Indies), Newcastle, Nice, Nantes, Odessa, Oporto, Palermo, Panama, Paris, Pernambuco, Pictou, Ponce, Port Mahon, Prescott, Prince Edward Island, Revel, Rio de Janeiro, Rotterdam, San Juan del Sur, San Juan (Porto Rico), Saint John (Canada East), Santiago de Cuba, Port Sarnia, Singapore, Smyrna, Spezzia, Southampton, Saint John (Newfoundland), Saint Petersburg, Saint Pierre (Martinique), Saint Thomas, Stuttgardt, Swartow, Saint Helena, Tampico, Tangier, Toronto, Trieste, Trinidad de Cuba, Tripoli, Tunis, Turk's Island, Valparaiso, Vera Cruz, Vienna, Windsor, Zurich.

III. COMMERCIAL AGENCIES.

Commercial agencies.

SCHEDULE B.

Schedule B.

Balize (Honduras), Madagascar, San Juan del Norte, Saint Domingo.

IV. CONSULATES.

Consulates.

SCHEDULE C.

Schedule C.

Aux Cayes, Bahia, Batavia, Bay of Islands, Cape Haytien, Cape Town, Carthagena, Ceylon, Cobija, Cyprus, Falkland Islands, Fayal, Guayaquil, Lanthala, Maranham, Matamoras, Mexico, Montevideo, Omoa, Payta, Para, Paso del Norte, Piræus, Rio Grande, Sabanilla, Saint Catherine, Santa Cruz (West Indies), Santiago (Cape Verde), Stettin, Tabasco, Tahita, Talcahuano, Tumbez, Venice, Zanzibar.

V. COMMERCIAL AGENCIES.

Commercial agencies.

SCHEDULE C.

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.

Pay of certain consuls established.

No money to be paid to the present minister resident at Portugal, &c.

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.

Interpreters to consulates and consular courts.

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.

Persons charged with crime.

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.

Marshals in consular courts.

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.

Prisons.

For salaries of commissioners and consuls general to Hayti, Liberia, and Dominica, nineteen thousand dollars; and the title of these diplo-

Hayti, Liberia, and Dominica. Title.

matic representatives shall be hereafter minister resident and consul general, with no increase of salary.

Suppression of slave-trade. 1862, ch. 140. Vol. xii. p. 531.

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.

Immigration. 1864, ch. 246. Vol. xiii. p. 385.

For expenses under the act to encourage immigration, twenty thousand dollars.

Commissioners on claims of Hudson's Bay, &c. Agricultural Company. Vol. xiii. p. 651.

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.

Neutrality act.

For expenses under the neutrality act, twenty thousand dollars.

Boundary line commissions.

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.

Capitalization of Scheldt dues. Vol. xiii. p. 649.

For the payment of the second annual instalment 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.

Cemetery fences and sexton's house in Mexico.

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.

Appointment of second assistant secretary of state, and examiner of claims.

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.

Salaries.

Appropriation.

Fees collected by certain consuls and commercial agents to be accounted for to Secretary of Treasury. 1856, ch. 127, § 18. Vol. xi. p. 58.

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 the Secretary of the Treasury in the same mode and manner as is provided for in section eighteen of the act approved August eighteen, eighteen hundred and fifty-six, entitled "An act to regulate the diplomatic and consular system of the United States." And when the fees so collected by any such consul or commercial agent amount to more than twenty-five hundred dollars in any one year, over and above the expenses of office-rent and clerk-hire, to be approved by the Secretary of State, of which return shall be made to the Secretary of the Treasury, the excess for that year shall be paid to the Secretary of the Treasury, in the mode provided for by said act.

Excess over $2500 a year above, &c. to be paid to Secretary of Treasury.

Salaries of envoys extraordinary and minister plenipotentiary.

SEC. 4. *And be it further enacted*, That the salary of any envoy extraordinary and minister plenipotentiary hereafter appointed shall be the salary of a minister resident and nothing more, except when he is appointed to one of the countries where the United States are now represented by an envoy extraordinary and minister plenipotentiary.

APPROVED, July 25, 1866.

CHAP. CCXXXIV. — *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.* 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 refusal, 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 thereupon on 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.

Licensed engineers or pilots wrongfully refusing to serve as such, &c. or pilots refusing to admit certain persons into pilot house, to forfeit $300.

How to be recovered.

License to be revoked.

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.

Where there is a water connecting-pipe between boilers, similar steam connection to be also provided.

Maximum working pressure of boiler.

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.

Safety valves on boilers of steamers;

how loaded and secured.

Alloyed metals on flues of boilers to be fusible, and at what temperature.

Water-gauge and gauge-cocks.

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.

Construction of steam boilers hereafter built;

employed on certain rivers.

Steamers hereafter built, how to have boilers divided.

SEC. 5. *And be it further enacted*, That cotton, hemp, hay, straw, or other easily ignitible 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

Cotton, hemp, hay, straw, &c. not to be carried on deck or guards of passenger steamers, except, &c.

Penalty.

Coal oil or crude petroleum not to be so carried, unless, &c.

dollars for each offence. Nor shall coal oil or crude petroleum be hereafter carried on such steamers, except on the decks or guards thereof, or in open holds where a free circulation of air is secured, and at such distance from the furnaces or fires as may be prescribed by any *supervisors* [supervising] inspector or any board of local inspectors.

Barges carrying passengers in tow of a steamer.

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.

Steamers used as freight boats to be subject to inspection, &c.
1864, ch. 113. Vol. xiii. p. 120.

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.

Penalty for certain persons attempting to act as steamboat inspectors.

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.

All vessels, except, &c. to be subject to the navigation laws of the United States.

Steam vessels, &c. to be subject to act of 1852, ch. 106, § 29. Vol. x. p. 72.

Seagoing steam vessels, when under way, except on high seas, to be under control of licensed pilots, except, &c.

See 1867, ch. 83. *Post*, p. 411.

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.

Passenger vessels to have the life-boats required by law provided with suitable boat disengaging apparatus.

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.

Foremast-head light only on ocean-going steamers and those carrying sail.
1864, ch. 69. Vol. xiii. p. 58.

Lights of river steamers navigating waters flowing into Gulf of Mexico; of coasting steamers, &c. other than ferry-boats, &c.

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.

Annual pay of local inspectors of steamboats.

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 Nashville, in Tennessee, four 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, sixteen 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.

District of Portland; Boston and Charlestown; New London; New York; Philadelphia; Baltimore. Norfolk; Charleston; Savannah; Mobile; New Orleans; Galveston; St. Louis; Nashville; Louisville; Cincinnati; Wheeling; Pittsburg; Chicago; Detroit; Cleveland; Buffalo; Oswego; Vermont; San Francisco; Memphis; Galena; Portland.

Supervising inspectors.

Clerk in local offices at New York and New Orleans. Pay.

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.

Stationery, printing, instruments, &c. for supervising and local inspectors.

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.

Rules and regulations.

Special examinations, &c.

Bonds of supervising local, and assistant inspectors of steamboats. Form and conditions.

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.

Repeal of inconsistent laws.

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.

July 25, 1866.

CHAP. CCXXXV. — *An Act increasing the Pensions of Widows and Orphans, and for other Purposes.*

Provisions of pension laws extended to provost marshals and their deputies and to enrolling officers.
How to take rank.

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.

Pensions to widows of soldiers and sailors increased $2 a month for each child under sixteen years.
If there is more than one child, and no widow, &c.

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.

No person to have more than one pension.
Provisions of former acts extended to pensioners under previous laws, except, &c.
1862, ch. 166. Vol. xii. p. 566.
1864, ch. 247. Vol. xiii. p. 387.
1865, ch. 84. Vol. xiii. p. 499.

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.

If during pendency of an application for invalid pension and after completion of proof, applicant dies, who may receive accrued pension, &c.

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 th[e]y 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, under circumstances hereinbefore mentioned, whether by reason of a wound received or disease contracted in the service of the United States, and in the line of duty or otherwise, 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.

Accrued pension to be paid to executor, &c.

Repealing clause of act 1866, ch. 106, *Ante*, p. 56, not to work forfeiture of accrued rights, &c.

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 so 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.

Widows having claim for pension pending at date of re-marriage not affected by provisions of act 1865, ch. 84, § 4. Vol. xiii. p. 490.

APPROVED, July 25, 1866.

CHAP. CCXXXVI. — *An Act authorizing the Construction of a Jail in and for the District of Columbia.*

July 25, 1866.

See Joint Resolution No. 60. *Post*, p. 575.

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.

Secretary of the Interior to select suitable place and construct a jail thereon.

Capacity.

Cost.

SEC. 2. *And be it further enacted*, That as soon as said site, and the plan of a jail 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.

Architect to be employed;

to prepare designs and specifications, and publish notice of letting contract for building.

Contract to be let to lowest responsible bidder.

Contractor to give bond.

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.

Contractor to be paid by instalments, twenty per cent being retained.

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.

Appropriation.

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.

Materials of old jail to be sold at auction.

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,

City of Washington to pay $70,000 in part for jail.

[Amended. See 1867, ch. 152. *Post*, p. 428.]

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.

A tax to be assessed and levied sufficient to raise said amounts.

Proceedings if either city or the county is in default of payment of tax;

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.

if tax is not assessed.

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.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the thirty-fourth section of the Declaration [of] Rights of the State of Maryland, adopted seventeen hundred and seventy-six, so far as the same has been recognized and adopted in the District of Columbia, be, and the same is hereby, repealed and annulled, and that all 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.

The 34th section of the Declaration of Rights of State of Maryland, prohibiting certain sales, gifts, and devices, annulled.

Such gifts and devices to be made at least one month before death of donor.

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.

House of correction for boys established in Washington.

Building already erected to be transferred to trustees under this act.

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

Government of the institution to be vested in seven trustees.

Trustees, how appointed;

to be paid ex-

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.

penses, but no compensation. Term of office.

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 correction for the District of Columbia, for the purpose of taking and holding, 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.

Board of trustees to be a corporation. Name and powers.

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 institution; they may appoint a superintendent, a steward, a teacher or teachers, and such other officers as may be found necessary, and may be approved 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 management of the institution, which, however, shall not be valid until approved by the Secretary of the Interior; and to exercise a vigilant supervision over the institution, its officers, and its inmates.

Duties of trustees. They may appoint superintendent and other officers. Salaries. By-laws.

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 perform all the duties incumbent on him as superintendent of said house of correction.

Superintendent to give bond. Conditions.

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.

Treasurer. Bond. Conditions. Duties of treasurer.

SEC. 7. *And be it further enacted*, That, as soon after their appointment 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.

Grounds and buildings to be prepared. Notice when ready.

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 accord with its decision of this question.

Boys of what age and for what offences may be sentenced to house of correction.

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

Superintendent to reside at the institution, and to have the

charge, custody, instruction, &c. of the boys.

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 s[t]udies, trades, and employments, and secure in them fixed habits of religion, morality, and industry.

Superintendent to have charge of property of institution; to keep accounts of receipts and expenditures; to account for money received; to keep register of boys admitted.

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.

Books, &c. to be open to inspection of trustees. Accounts to be examined quarterly.

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.

Contracts on account of the institution how made.

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.

Suits.

Trustees to visit institution at least once in two weeks. Record of visits to be kept. Quarterly examination of institution.

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.

Annual report to Secretary of Interior.

Expenses of boys while in the institution, how paid.

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.

How to be recovered.

Appropriation.

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 otherwise, 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 default 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.

Sum to be assessed upon and paid by Washington and Georgetown.
Proportion of city of Washington;
of city of Georgetown;
of county of Washington.
Proceedings in case of default in payment.

SEC. 15. *And be it further enacted*, That this act shall take effect from the date of its passage.

When act to take effect.

APPROVED, July 25, 1866.

CHAP. CCXXXIX. — *An Act to incorporate "The Soldiers' and Sailors' Union" of Washington, D. C.*

July 25, 1866.

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. Firman, 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.

Soldiers' and Sailors' Union incorporated.
Powers, &c.

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.

May hold, &c. real and personal estate.
How held and transmitted.

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.

Constitution and by-laws may be amended.

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.

Corporation not to exercise banking privileges or issue notes, &c.

SEC. 5. *And be it further enacted*, That Congress reserves the right to alter or repeal this act at any time.

Act may be altered, &c.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCXL.—*An Act legalizing Marriages and for other Purposes in the District of Columbia.*

Certain colored persons in the District of Columbia, living together as man and wife, &c. to be deemed husband and wife.

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 rec[o]gnized by the man to be his shall be deemed legitimate.

Their children legitimate.

Children of those who have ceased to cohabit.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCXLI.—*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.*

Public lands granted to Kansas, to aid the construction of the Kansas and Neosho Valley Railroad Company.

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 or near 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*[from] 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 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 none of the lands hereby granted shall be selected beyond twenty miles from the said road.

Extent of grant, and selection of lands.

If any of the land granted has been before sold, or reserved, &c., what may be taken in lieu thereof.

Lands before reserved excepted from operation of this act.

Right of way through such lands.

No land to be selected beyond twenty miles.

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.

Sections remaining to the United States, &c. not to be sold for less than double minimum price;

to be offered at public auction.

Settlers under pre-emption laws may purchase, &c.

Settlers under the homestead act may have not over 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.

This grant is made upon condition, &c.

Transportation of troops, &c. to be free to the government.

When and how the lands inure to the benefit of the company.

If road is not completed within ten years, the lands unpatented to revert to the United States.

The lands not to be disposed of or incumbered by the company, except as patented.

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.

Lands to be withdrawn from market as soon as maps are filed

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.

Mails to be transported at price fixed by Congress.

Proviso.

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.

Right of way granted through public lands.

Material for construction from adjacent land.

Extent of grant.

Ground for station buildings, &c.

Acceptance of this grant by the railroad company to be in writing;

to be made within a year.

SEC. 7. *And be it further enacted*, That the acceptance of the terms, conditions, and impositions of this act by the said Kansas 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.

Said railroad company may extend its road to Red River.

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.

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.

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.

The company may negotiate with Indians and others for lands.

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.

Certain other railroads may unite with this road, after it is located to the valley of the Neosho River.

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

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

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 to amend 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, eigheen hundred and sixty-two.

Preston, Texas, with grants of land, &c.

Work to be prosecuted with energy.

Right of way through private property.

1862, ch. 120, § 3. Vol. xii. p. 492.

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.*

July 25, 1866.

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.

The California and Oregon R. R. Co., and an Oregon company, may locate and construct a railroad and telegraph line between Portland, Oregon, and the Central Pacific Railroad in California.

What part the C. & O. Company to build.

The company first completing its part, may continue its road, with consent of State.

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

Grant of public lands, not mineral, to said companies, to aid in the construction of road &c.

public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile (ten on each side) of said railroad line; and when any of said alternate sections or parts of sections shall be found to have been granted, sold, reserved, occupied by homestead settlers, pre-empted, or otherwise disposed of, other lands, designated as aforesaid, shall be selected by said companies in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections designated by odd numbers as aforesaid, nearest to and not more than ten miles beyond the limits of said first-named alternate sections; and as soon as the said companies, or either of them, shall file in the office of the Secretary of the Interior a map of the survey of said railroad, or any portion thereof, not less than sixty continuous miles from either terminus, the Secretary of the Interior shall withdraw from sale public lands herein granted on each side of said railroad, so far as located and within the limits before specified. The lands herein granted shall be applied to the building of said road within the States, respectively, wherein they are situated. And the sections and parts of sections of land which shall remain in the United States within the limits of the aforesaid grant shall not be sold for less than double the minimum price of public lands when sold: *Provided*, That bona fide and actual 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 comply with the terms and requirements of said act, shall be entitled, within the limits of said grant, to patents for an amount not exceeding eighty acres of the land so reserved by the United States, anything in this act to the contrary notwithstanding.

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 have not over eighty acres.

SEC. 3. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to said companies for the construction of said railroad and telegraph line; and the right, power, and authority are hereby given to said companies to take from the public lands adjacent to the line of said road, earth, stone, timber, water, and other materials 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 railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, water stations, or any other structures required in the construction and operating of said road.

Right of way through public lands granted to said companies.

Materials for construction from adjacent lands.

Extent of grant of right of way.

Land for stations, &c.

SEC. 4. *And be it further enacted*, That whenever the said companies, or either of them, shall have twenty or more consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated by this act, the President of the United States shall appoint three commissioners, whose compensation shall be paid by said company, to examine the same, and if it shall appear that twenty consecutive miles of railroad and telegraph shall have been completed and equipped in all respects as required by this act, the said commissioners shall so report under oath to the President of the United States, and thereupon patents shall issue to said companies, or either of them, as the case may be, for the lands hereinbefore granted, to the extent of and coterminous with the completed section of said railroad and telegraph line as aforesaid; and from time to time, whenever twenty or more consecutive miles of the said road and telegraph shall be completed and equipped as aforesaid, patents shall in like manner issue upon the report of the said commissioners, and so on until the entire railroad and telegraph authorized by this act shall have been constructed, and the patents of the lands herein granted shall have been issued.

When and how patents for these granted lands shall issue to said companies.

SEC. 5. *And be it further enacted*, That the grants aforesaid are made upon the condition that the said companies shall keep said railroad and

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.

Railroad to be a public highway and free to 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.

Companies when to file assent to this act.
Rate of progress to be made.
Gauge.
To be connected with Central Pacific Railroad.

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.

Companies to use and operate road as one continuous line, and to secure to each other equal advantages, &c.

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.

If companies fail to comply with certain conditions, this act to be void, and the lands not conveyed to revert to the United States.
If road and telegraph line are not kept in repair, Congress may, &c.

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 hereinbefore 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.

The companies to be governed by the laws of their respective States.
The word "company" to include "associates, successors, and assigns."

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.

Mineral lands excepted from this grant.
Timber for construction.
"Mineral" not coal and iron.

Companies to obtain consent of States, where road and telegraph line do not pass through public lands.

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.

Act may be amended, &c.

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.*

District court for northern district of Georgia to be held at Atlanta.

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.*

Right of way granted to A. Sutro, &c. to construct a mining, &c. tunnel, &c.

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.

Dimensions of tunnel, where to commence, &c.

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.

Right of way to extend northerly and southerly &c.

A. Sutro may purchase not over two sections of public land at mouth of tunnel, for use thereof.

Not to be mineral lands, &c.

SEC. 2. *And be it further enacted*, That the right is hereby granted to the said A. Sutro, his heirs and assigns, to 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

Upon filing plat, land to be withdrawn from sale.

Patent to issue.

Certain mineral veins and lodes may be purchased.

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 withheld 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.

Comstock lode, &c. and certain other lodes excepted from this act.

Lodes to be withheld from sale.

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.

Owners of claims or mines on Comstock or other lode, benefited by the tunnel, to hold claims subject, &c.

APPROVED, July 25, 1866.

CHAP. CCXLV.—*An Act to regulate the Times and Manner of holding Elections for Senators in Congress.*

July 25, 1866.

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 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.

What legislatures of States, and when to elect senators in Congress.

Mode of election.

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-

Proceedings to elect a senator to fill a vacancy.

ceed, on the second Tuesday after the commencement and organization of its session, to elect a person to fill such vacancy, in the manner hereinbefore 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.

Certificate of election of senator to be certified to the president of the senate.

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 25, 1866.

CHAP. CCXLVI. — *An Act to authorize the Construction of certain Bridges, and to establish them as Post Roads.*

Bridge may be built across the Mississippi River at Quincy, Illinois, and railroad tracks laid thereon.

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 the 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.

Trains may cross for compensation.

Question of obstruction to navigation may be tried where.

Bridge may be built with draw or unbroken spans.

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 in any case than fifty feet above extreme high-water mark, as understood 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.

Height, if made with unbroken spans.

Length of spans.

Pivot drawbridge, with draw over main channel, and spans, &c.

Draw to be opened promptly, except, &c.

Bridges constructed according to this act to

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. be lawful structures and post routes. Rates of toll.

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 States 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. Chicago, Burlington, and Quincy Railroad Company may build a railroad bridge across the Mississippi, if, &c.

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. Bridge may be built across the river at Hannibal, Missouri;

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. between Prairie du Chien and North McGregor;

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 bridges at Quincy and Burlington; and the said bridge, in its use and operation, shall be subject to the same restrictions that apply to said bridges at Quincy and Burlington by the terms of this act. between Keokuk and Hamilton;

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 the States 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. between Winona and opposite bank of river, if, &c.; this bridge made a post road;

SEC. 9. *And be it further enacted*, That a bridge may be constructed and maintained across the Mississippi River, between Dunleith, 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. between Dunleith and Dubuque, if, &c.;

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. at the city of Kansas;

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 between the city of Saint Louis and East Saint Louis.

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.

Question of obstruction, where may be tried.

Bridge to be built with unbroken spans.

Conditions. Height and length of spans.

Sec. 12. *And be it further enacted*, That the bridge authorized by the preceeding section to be built shall not be a suspension bridge, or draw-bridge, 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.

Act may be altered, &c.

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.

July 25, 1866.

CHAP. CCXLVII. — *An Act to authorize W. J. Sibley and others, Trustees, to sell and convey Lot Number nine, in Square Number Seventy-six, in the City of Washington.*

Preamble.

Whereas lot number nine, in said square number seventy-six, in the said city of Washington, was conveyed by J. H. M'Blair to W. J. Sibley, Ro. Ricketts, R. W. Bates, R. L. Sanders, Benjamin M'Coy, and G. Spoarder, in trust, to erect thereon a place of worship for the use of the people of color, members of the Methodist Episcopal Church in the United States; and whereas the said trustees have not had the means of erecting such church, and the purpose has been abandoned, and another church, called the Asbury Chapel, has been erected in or near the neighborhood of the said lot, which the said trustees desire to sell, and apply the proceeds to the benefit of the congregation worshipping in said Asbury Chapel, a purpose which the said J. H. M'Blair, as far as he had any interest therein, has approved by his subsequent deed made to the said trustees: therefore,

Trustees may sell lot number nine, square seventy-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said W. J. Sibley, Ro. Ricketts, R. W. Bates, R. L. Sanders, Benjamin M'Coy, and G. Spoarder, trustees of the said lot above mentioned, or the survivors of them, be, and they are hereby, authorized and empowered to sell and convey the said lot number nine, in square number seventy-six, in the said city of Washington, for such price as they shall think proper, or to confirm and carry out any contract for sale already made by them with any person, and to convey the same accordingly, freed and discharged of the trust upon which the same was originally conveyed to them, and to apply the proceeds of sale to the benefit of the congregation worshipping in the said Asbury Chapel, as the proper and legal authority thereof may deem expedient, and for no other purpose whatever.

Proceeds of sale, how applied.

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.* July 25, 1866.

Claims of the State of Iowa for expenses of certain volunteers, for moneys paid for troops to defend the State, and for forage and barracks, to be examined, &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 be, and he hereby is, authorized and required to appoint a commissioner, 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 Missouri 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 repayment 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."* July 25, 1866.

See 1867, ch. 62. *Post*, p. 401.

"The National Soldiers' and Sailors' Orphan Home" incorporated.

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 Fahnestock, 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 Farnham, 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.

Trustees.

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.

Vacancies, how filled.

Powers, &c. of 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.

Corporation may hold real and personal estate.

Board of directors.

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,

By-laws.

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 prescribing 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.

Minor children of certain soldiers and sailors may be received, &c.;

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.

shall never be bound out;

SEC. 6. *And be it further enacted*, That no such orphan child shall ever be bound out by said corporation.

may be withdrawn by parent or guardian.

Minors over sixteen.

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.

Minor child so withdrawn, to what extent still to be under the charge of the corporation.

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.

Property of corporation to be exempt from tax.

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.

Legal settlement not gained or lost by residence in the Home, &c.

This act may be amended, &c.

SEC. 10. *And be it further enacted*, That Congress may at any time hereafter repeal, alter, or amend this act.

APPROVED, July 25, 1866.

July 25, 1866.

1863, ch. 110. Vol. xii. p. 805.

CHAP. CCL. — *An Act to amend "An Act to extend the Charter of the Alexandria and Washington Railroad," passed March third, eighteen hundred and sixty-three.*

Washington, Alexandria, and Georgetown R. R. Co. may extend its road to connect with Washington branch of Baltimore and Ohio Railroad.

Route of extension.

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 sixty-one, seven hundred and sixty, seven hundred and eighty-seven, seven hun-

dred and eighty-six, eight hundred and sixteen, eight hundred and fifteen, eight hundred and thirty-nine, eight hundred and thirty-eight, eight hundred and sixty-six, eight hundred and sixty-five, eight hundred and sixty-four, and the different streets and avenues intervening, to a point in square number eight hundred and ninety-three; thence, by a curve of not less than one thousand feet radius, into Eighth Street east; thence by the most direct and eligible route, to an intersection with the Washington branch of the Baltimore and Ohio Railroad.

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.

Draw or other bridge across canal.

Steam power may be used.

Steam power may be used for eighteen months to draw cars on the structure across the Potomac River and in certain streets in Washington.

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.

Limit to rate of speed.

Company to pay damages to private property from extension.

If owners and company cannot agree, amount of damages how to be determined.

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.

Use, &c. of lands how acquired.

APPROVED, July 25, 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,

Baltimore and Ohio R. R. Co. may extend railroad into the District of Columbia.

Termini to be agreed upon with the cities of Washington and Georgetown.

Powers and privileges of the corporation.

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. An[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.

Provisions of acts of Congress relating to lateral road, made applicable to this corporation.

1831, ch. 85. Vol. iv. p. 476.

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.

Extension to be commenced in one year, and completed in three years.

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.*

Port Townsend made the port of entry and delivery in district of Puget's Sound.

Port Angelos abolished as a port of entry.

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 Angelos, 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.

East Capitol Street to be graded and Lincoln Square enclosed.

Appropriation.

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.

Unlawful tapping of government water pipes punishable by fine or imprisonment.

Commissioner of public buildings to prosecute.

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 the port of 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.

Deputy collector of customs at Calais, Me., may enter and clear vessels, &c.

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.

Mineral lands declared open to occupation to all citizens, &c. subject to regulations, &c.

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-

Persons, &c. claiming, without opposition, any vein of quartz-bearing gold, &c. having occupied and made expenditures on the

same, and filing diagram, may enter the tract and receive a patent therefor.

lars, 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.

Patent to grant what.

After filing diagram of tract claimed, what proceedings to be had before patent issues.

Notice to be published.

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.

Survey of plat of premises.

Payment of five dollars per acre, and costs of survey, &c.

Survey, plat, &c. to cover only one vein, to be named in patent.

Proceedings when the location and entry of mine are upon unsurveyed lands.

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 discoveror 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.

Location not to exceed 200 feet along vein, with additional claim for discoverer, and right to follow vein to any depth, &c.

Limit to number and extent of locations.

Further condition of sale, and to be expressed in patent.

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.

Where adverse claimants appear, proceedings stayed until right is settled.

Patent then to issue.

SEC. 6. *And be it further enacted*, That whenever any adverse claimants 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.

President may establish additional land districts, &c for purposes of this act.

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.

See *Post*, p. 470.

Right of way for highways.

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.

Owners of vested rights to use of water for mining, &c. to be protected, and right of way for canals and ditches 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.

Damages.

Owners of homesteads made upon lands designated as mineral, in which no valuable mines of gold, &c. have been found, &c. may pre-empt the same, &c.;

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.

or may take them as homesteads. 1862, ch. 75. Vol xii. p. 392.

Upon survey, lands clearly agricultural may be set apart and made subject to pre-emption and sale.

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 of the United States, and subject to all the laws and regulations applicable to the same.

APPROVED, July 26, 1866.

July 26, 1866.

CHAP. CCLXIII. — *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.*

The Chesapeake Bay, &c. Canal Company may extend its canal to Anacostia River;

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 Tide-water 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.

may take and hold property necessary for proper construction of extension, &c.

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

Proceedings where land can-

not be purchased, or the owner is under disability.

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,

Commission of inquest of damages.

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

Report to be made.

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

Notice.

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 to be confirmed.

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

Inquest may be set aside.

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

New commission and inquisition from time to time.

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

Property taken to be described, and valuation paid.

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 com-

Company to pay expenses of inquisition.

pany 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.

Tolls and rents.

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.

Canal extension to be a public highway.

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.

Public property of the United States to go through free of tolls.

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,

Company when required to give Congress an account of receipts and expenditures, &c.

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.

Provisions of charter to apply to extension, subject, &c.

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.

Act to be a public act, and when to take effect.

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.*

July 26, 1866.

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; "Jessee 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.

Certificate of registry, or enrolment and license, may issue to the Diana; M. C. Rowe; Mary; Jessee Conger; N. C. Ford; Sweet Home; Alma; Marco Polo; Three Bells; J. S. Austin; Dolphin.

APPROVED, July 26, 1866.

CHAP. CCLXV. — *An Act to authorize the Issue of certain Bonds in Denominations greater than One Thousand Dollars.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter 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.

Bonds issued in favor of certain railroad companies may be of larger denominations than $1000.

Proviso. 1862, ch. 120. Vol. xii. p. 489. 1864, ch. 216. Vol. xiii. p. 356. 1865, ch. 88. Vol. xiii. p. 504

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.*

July 26, 1866.

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 —

Appropriations 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 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.

Superintendents, agents, sub-agents, clerks, &c.

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.

Interpreters, presents, provisions.

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.

Buildings and repairs.

For buildings at agencies and repairs thereof, ten thousand dollars.

Contingencies.

For contingencies of the Indian department, thirty-six thousand five hundred dollars.

Treaty stipulations.

For fulfilling treaty stipulations with the various Indian tribes:

Chasta, Scoton, and Umpquas. Vol. x. p. 1122.

Chasta, Scoton, 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. Vol. vii. p. 592. Vol. x. p. 1109.

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 acticle 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 forty-two, and eighth article treaty thirtieth September, 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 forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For twelfth of twenty instalments in coin, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, five thousand dollars.

For twelfth of twenty instalments in goods, household furniture, and cooking utensils, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand dollars.

For twelfth 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-four, three thousand dollars. Chippewas of Lake Superior.

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, five thousand and forty 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, one thousand three hundred and twenty dollars.

For tenth 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 Chippewa 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. Chippewas of the Mississippi. Vol. vii. p. 592. Vol. x. p. 1109.

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.

Chippewas, Pillager, and Lake Winnebagoshish bands. Vol. x. p. 1165.

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, four 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 of twenty-second February eighteen hundred and fifty-five, six hundred dollars.

Chippewas of Saginaw, Swan Creek, and Black River. Vol. xi. p. 634.

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.

Chippewas, Menomones, Winnebagos, and New York Indians. Vol. vii. p. 304.

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. 1799, ch. 11. Vol. i. p. 618.

Chickasaws. — For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

Choctaws. Vol. vii. p. 99. Vol. xi. p. 614.

Choctaws. — For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars.

Vol. vii. p. 213.

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.

Vol. vii. p. 235.

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 hundred 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. Choctaws and Chickasaws. *Post*, pp. 768-779.

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-eight, eighteen hundred and sixty-six, one thousand five hundred dollars. *Post*, p. 771.

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-eight, 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-eight, 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-eight, eighteen hundred and sixty-six, and Senate amendment thereto, or so much thereof as may be necessary, four thousand three hundred and twenty dollars. *Post*, p. 779.

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. Camanches, Kiowas, and Apaches of Arkansas River. Vol. x. p. 1014.

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. Creeks. Vol. vii. p. 36 Vol. xi. p. 700.

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. Vol. vii. p. 69.

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. Vol. vii. p. 287.

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 permanent annuity for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For blacksmith and assistant, and shop and tools, 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, eight hundred and forty dollars. Vol. vii. p. 419.

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.

Creeks.

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. Vol. vii. pp. 188, 327.

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* [four], two thousand three hundred and four dollars.

Vol. x. p. 1048.

Iowas.

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-six, at five per centum per annum, for education or other beneficial purposes, under the direction of the President, per second article treaty October nineteenth, eighteen hundred and thirty-eight, and ninth article treaty May seventeenth, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars.

Vol. vii. p. 568. Vol. x. p. 1071.

Kansas.

Kansas. — For interest in lieu of investment on two hundred thousand dollars, at five per centum per annum, per second article treaty January fourteenth, eighteen hundred and forty-six, ten thousand dollars.

Vol. ix. p. 842.

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, five thousand dollars.

Vol. x. p. 1078.

For thirteenth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-seven, per second article treaty eighteenth May, eighteen hundred and fifty-four, seven thousand 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 fifty-four, nine hundred and sixteen dollars and sixty-six cents.

Vol. ix. p. 952. Vol. x. p. 1065.

For first of fifteen instalments of annuity upon two hundred and forty-two thousand six hundred and eighty-six dollars for cession of lands per third 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 eleventh of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.

Miamies of Kansas. Vol. vii. p. 191. Vol. x p. 1095.

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 eighteen, 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. Vol. vii. p. 191. Vol. vii. p. 459. Vol. x. p. 1095.

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 instalments 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 of Indiana. Vol. x. p. 1096.

Miamies — Eel River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars. Miamies, Eel River. Vol. vii. p. 51.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars. Vol. vii. p. 91.

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. Vol. vii. p. 114.

Nisqually, Puyallup, and other Tribes and Bands of Indians. — For twelfth instalment, in part payment for relinquishment of title lands, to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, twelve hundred dollars. Nisqually, Puyallup, and other bands of Indians. Vol. x. p. 1134.

For twelfth of twenty instalments 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 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. Omahas. Vol. x. p. 1044.

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 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. Osages.

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. *Post*, p. 686.

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 instalments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars. Ottoes and Missourias. Vol. x. p. 1059.

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. Ottawas and Chippewas of Michigan. Vol. xi. p. 623.

Pawnees. Vol. xi. p. 729.

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. Vol. vii. p. 105.

Pottawatomies of Huron. — For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars.

Pottawatomies. Vol. vii. p. 51.

Pottawatomies. — For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars.

Vol. vii. p. 114.

For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars.

Vol. vii. p. 185.

For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.

Vol. vii. p. 317.

For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars.

Vol. vii. p. 320.

For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

Vol. vii. p. 379.

For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

Vol. vii. p. 432.

For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven hundred dollars.

Vol. vii. p. 296. Vol vii. p. 317. Vol. vii. p. 379.

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.

Pottawatomies.

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. Vol. ix. p. 855

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-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 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. Vol. vii. p. 425.

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. Vol. x. p. 1018.

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 Mississippi. Vol. vii. p. 85.

Sacs and Foxes of Mississippi. — For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars.

Vol. vii. p. 540.

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.

Vol. vii. p. 596.

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. Vol. vii. p. 540.

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. Vol. xi. p. 702.

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, per

eighth article treaty seventh August eighteen hundred and fifty-six, twelve thousand five hundred dollars.

Senecas. Vol. vii. p. 161.

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.

Vol. vii. p. 352.

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. 1831, ch. 26. Vol. iv. p. 442.

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.

1846, ch. 34. Vol. ix. p. 35.

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. Vol. vii. p. 179.

Senecas and Shawnees. — For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.

Vol. vii. p. 352.

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. Vol. vii. p. 51. Vol. x. p. 1066.

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.

Vol. vii. p. 161.

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. Vol. vii. p. 46.

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). Vol. x. p. 1027.

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. Vol. x. p. 1126.

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 twenty-ninth November, eighteen hundred and fifty-four, one thousand seven hundred dollars.

Vol. x. p. 1127.

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. Winnebagos. Vol. vii. p. 545.

For twentieth 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. Vol. ix. p. 878.

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. *Post*, p. 671.

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 seven hundred and fifty 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. *Post*, p. 672.

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.

For subsistence of the Winnebagos for one year after their arrival at their new homes, as per fifth article treaty of March eighth, eighteen hundred and sixty-five, ninety-six thousand 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. Winnebago and Pottawatomie Indians of Wisconsin.

Yancton Tribe of Sioux. — For eighth 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 reservations, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars. Yancton Sioux. Vol. xi. p. 744.

Calapooias, Molalla, and Clackamas Indians, of Willamette Valley. — For second of five instalments 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. Calapooias, Molallas, &c. of Willamette Valley. Vol. x. p. 1144.

Poncas. — For the third of ten instalments 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.

Poncas.

future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, ten thousand dollars.

Vol. xii. p. 997.

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.
Vol. xii. p. 927.

D'Wamish and other allied Tribes in Washington Territory. — For seventh instalment 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.

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 establishment and support of a smith and carpenter shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second 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 fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Makah tribe.
Vol. xii. p. 940.

Makah tribe. — 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.
Vol. xii. p. 947.

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-pio-mox-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. Yakama nation. Vol. xii. p. 953

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.

or 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 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 ninth June, eighteen hundred and fifty-five, nine thousand four 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 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 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 employés, 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. Nez Perce Indians. Vol. xii. p. 958.

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-

Nez Perce Indians. Vol. xii. p. 958.

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 employés, 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.

Post, p. 649.

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 first of the sixteen instalments for boarding and clothing the children who shall attend the schools, providing the schools and boarding-houses with necessary furniture, the purchase of necessary wagons, teams, agricultural implements, tools, and so forth, and for fencing of such lands as may be needed for gardening and farming purposes for the schools, as per fourth clause fourth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, six thousand dollars.

For building two churches, as per fifth clause fourth article treaty of June nine, 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.

Nez Perce Indians.

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. Vol. xii. p. 976.

Flatheads and other Confederated Tribes. — For the third of five instalments 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 instalments 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 instalments 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 instalments 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 instalments 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 instalments 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 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 seventh 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 seventh of twenty instalments 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 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.

Middle Oregons. Vol. xii. p. 964.

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, six 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.

Molels. Vol. xii. p. 981.

Molel Indians. — For seventh of ten instalments for keeping in repair saw and flouring mills, and for the pay of necessary employés, 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-elts and Qui-leh-utes. Vol. xii. p. 972.

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 fourth article treaty first July, eighteen hundred and fifty-five, one 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 support of smith and carpenter shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of a blacksmith, carpenter, and 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.

S'Klallams. Vol. xii. p. 934.

S'Klallams. — For first 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 seventh 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 seventh 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.

Ottawa Indians of Blanchard's Fork and Roche de Bœuf. — 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.

Ottawas of Blanchard's Fork and Roche de Bœuf. Vol. xii. p. 1238.

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, thirty thousand dollars.

Arapahoes and Cheyennes of the Upper Arkansas. Vol. xii. p. 1165.

For fourth of five instalments to provide the said Indians with a mill suitable for sawing timber and grinding grain, one or more mechanic shops, with necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for mill (if one be necessary), farmers, and the mechanics that may be employed for their benefit, per fifth article treaty February eighteenth, eighteen hundred and sixty-one, five thousand dollars.

For transportation and necessary expenses of delivery of annuities, goods, and provisions, per fifth article treaty February eighteenth, eighteen hundred and sixty-one, five thousand dollars.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of Lake Superior, per seventh article treaty September thirtieth, eighteen hundred and fifty-four, five thousand seven hundred and sixty-two dollars and sixty-three cents.

Delivery of annuities, &c. to Chippewas of Lake Superior; Vol. x. p. 1111.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, per fifth article treaty February twenty-second, eighteen hundred and fifty-five, three thousand eight hundred and eighty-six dollars and seventy-five cents.

to Chippewas of the Mississippi. Vol. x. p. 1169.

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.

Chippewas of Red Lake and Pembina tribe. Vol. xiii. p. 668. Vol. xiii. p. 689.

For this amount to the Pembina band of Chippewas, during the pleasure of the President, per third article treaty October second, eighteen hundred and sixty-three, and second article supplementary treaty April twelve, eighteen hundred and sixty-four, five thousand dollars.

For the third of fifteen instalments to be expended annually for the purpose of supplying them 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 third of fifteen instalments for same objects for the Pembina band of Chippewas, per third article supplementary treaty twelfth April, eighteen hundred and sixty-four, four thousand dollars.

For 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.

Chippewas of Red Lake and Pembina tribe. Vol. xiii. p. 689.

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 Shoshonees.

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 Shoshonees.

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 Shoshonees. Vol. xiii. p. 663.

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.

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.

Vol. xiii. p. 682.

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 third 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.

Tabeguache band of Utahs. Vol. xiii. p. 675.

Tabeguache Band of Utah Indians. — 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 amend ment 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, and Pillagers, and Lake Winnebagoshish Chippewas of Minnesota. Vol. xiii. p. 694.

Chippewas of the Mississippi, Pillagers, and Lake Winnebagoshish 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, not exceeding any one year more than twenty days' service, at five dollars per pay, or more than three hundred miles' travel, at ten cents per mile, 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 Dakota or Sioux. *Post*, p. 695.

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, as 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 Dakota or Sioux. *Post*, p. 699.

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, as 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.

Blackfeet Dakota or Sioux. *Post*, p. 727.

Blackfeet 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 nineteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, seven thousand dollars.

Two Kettles' Dakota or Sioux. *Post*, p. 723.

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, 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-seven, six thousand dollars.

Post, p. 723.

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 Dakota or Sioux. *Post*, p. 738.

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, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, nine thousand dollars.

Sans Arcs Dakota or Sioux. *Post*, p. 731.

Sans Arcs Band of Dakota or Sioux. — For first 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, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, eight thousand four hundred dollars.

Yanktonai Dakota or Sioux. *Post*, p. 734.

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, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, ten thousand five hundred dollars.

Upper Yanktonais Dakota or Sioux. *Post*, p. 743.

Upper Yanktonais 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, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, ten thousand dollars.

O'Gallala Dakota or Sioux. *Post*, p. 747.

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, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, ten thousand dollars.

Dakota or Sioux. *Post*, pp. 694–748.

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 Chippewas. *Post*, p. 764.

Bois Fort Band of Chippewa [*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, two thousand 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, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, one thousand 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. Bois Fort Chippewas. *Post*, p. 764.

For first 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, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, eight hundred dollars.

For first 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, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, three thousand five hundred dollars.

For first of twenty instalments 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, one thousand dollars.

For first of twenty instalments of annuity in goods and other articles, 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, six thousand five 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, ten 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. Tabeguache Utahs. Vol. xiii. p. 675.

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 of 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 Cheyennes of the Upper Arkansas River.
Post, p. 704.

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.
Post, p. 718.

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.
Post, p. 712.

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.
Post, p. 667.

Omaha Tribe of Indians. — 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.

Vol. x. p. 1045.

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 sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand two hundred dollars. Omahas. *Post*, p. 668.

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, 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 sixth, 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 sixth, 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. Yakama nation. Vol. xii. p. 953

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 of 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. Klamath and Modoc Indians.

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,

Klamath and Modoc Indians.

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 thousand six hundred dollars.

For the erection of agency buildings, four thousand dollars.

Miscellaneous.

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.

Flatheads. Vol. xii. p. 976.

Indian service in New Mexico;

Indian Service in 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.

in country leased from Choctaws.

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 employés, purchasing clothing, medicine, iron, and steel, maintenance of schools for Indians lately residing in Texas, to be expended under direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars.

Wichitas, &c.

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 employés, 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 thousand eight hundred dollars.

Miscellaneous Indian service in California.

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.

Delivery of annuities to Indians in Minnesota and Michigan;

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.

Pawnees, Poncas, and Yancton Sioux.

For insurance, transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yancton Sioux annuity goods and provisions, ten thousand dollars.

Vaccination.

For expenses attending the vaccination of Indians, two thousand five hundred dollars.

Indian service in Oregon and Washington.

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 and subagents, 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 employés, fifty thousand dollars. Removal and subsistence of Indians in Oregon and Washington.

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 Nevada;

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. in Utah Territory;

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. in Colorado Territory.

For payment of interest on fifteen thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, for the Cherokee school fund, nine hundred dollars. Interest on abstracted bonds, Cherokee school, and national funds.

For payment of interest on sixty-eight thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, of the Cherokee national fund, four thousand and eighty dollars.

Navajo Indians in New Mexico. — For subsistence for the Navajo Indians, and for the purchase of sheep and of agricultural implements, seeds, and other articles necessary for breaking the ground on the reservation upon the Pecos River, one hundred thousand dollars. Navajo Indians in New Mexico.

For payment of interest on one million six hundred and ninety thousand three hundred dollars, non-paying stock held by the Secretary of the Interior in trust for the various Indian tribes, up to and including the interest payable July first, eighteen hundred and sixty-six, one hundred thousand one hundred and fifty-three dollars. Interest on non-paying stock held in trust for Indian tribes.

For subsistence, clothing, and general incidental expenses of the Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux or Dakota Indians, at their new homes, one hundred thousand dollars. Expenses of Sisseton, Wahpaton, Medawakanton, and Wahpakoota Sioux or Dakota Indians.

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 Idaho Territory;

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. in Arizona Territory;

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. in Montana Territory;

California. — For pay of one physician, one blacksmith, one assistant blacksmith, one farmer, one carpenter, upon each of the four reservations in California.

in California, at the rate of fifty dollars per month, twelve thousand dollars.

Indian service in Dakota Territory.

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.

Delivery of provisions to Indians in Utah superintendency.

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.

Special agent for Winnebago, &c. Indians.

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.

Funds and moneys to be appropriated according to stipulations of treaty or provisions of law.

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.

Appropriation for payment of supplies to destitute Indians of Southern superintendency, for removal and relief of destitute.

Full examination to be made before money is expended, &c.

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.

Certain citizens may trade with Indians on giving bond.

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:

Conditions.

Proviso.

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.

July 26, 1866.

CHAP. CCLXVII. — *An Act to establish certain Post-Roads.*

Certain post routes established in Maine.

Ante, p. 6.

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:

MAINE.

From Sherman to Houlton, in Ar[oo]stook County.

Post routes in Maine.

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.
Ante, p. 8.

VERMONT.

From West Alburgh to Champlain, New York.

New York.
Ante, pp. 7, 189.

NEW YORK.

From Rochester to Chili Centre, Monroe County.
From Lyon's Falls to Carthage.
From Sherburne, via Columbus, New Berline, and Oneonta, to Albany.
From Schurous, 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 Ostelic.
From Russell, via Monterey and Clifton Iron Works, to Harewood.
From Oxford to Unadilla.
From Crown Point Centre, via Hammond's Furnace, to Schroon Lake.
From Holland Patent to Big Brook, Oneida County, by way of Steuben.

Pennsylvania.
Ante, p. 8.

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 Litz 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 Weishampletown.
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 Reinholdsville, 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 Ætna, in County of Berks, to Myerstown in the County of Lebanon, State of Pennsylvania.

Maryland.
Ante, p. 189.

MARYLAND.

From Dublin to Rising Sun.

From Ellicott's Mills to Brightown.

Delaware.

DELAWARE.

From Wyoming, via Lebanon, to Magnolia.

West Virginia.
Ante, pp. 8, 190.

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.
Ante, p. 8.

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
Ante, pp. 6, 191.

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.
Ante, p. 191.

ILLINOIS.

From Princeton to Walnut.

Post routes in Illinois.

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 Rutch, and Swetzer's Grove, to Plattersville, in Wisconsin.
From Lancaster, via Annoton, 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 Mazou, 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.

Michigan.
Ante, p. 7.

From Pontiac to Rochester.
From Bristol, in Indiana, via Union, Osburn's Mills, and Brownsville, to Cassapolis, 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, Sodus, and Benton Harbor, to Saint Joseph.
From Holly to New Hudson.
From Vermontville to Barrysville.
From Sylvania, Lucas County, Ohio, to Whitesford Centre, Michigan.
From Big Rapids, Mecosta County, via Rogers'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 Minkeyon.
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.

Missouri.
Ante, p. 190.

From Brunswick, via Brookfield, Northcut, Milan, and Unionville, to Centerville, in Iowa.

Post routes in Missouri.

From Keytsville, via Bucklin, Strickerville, Greencastle, and Unionville, to Centerville, in Iowa.

From Jefferson to Louisiana.

From Unionville, Putnam County, via Greencastle, and Strickerville, to Pennsville, thence via New Boston, Buckland, to Hannibal and Saint Joseph Railroad.

From Patterson to Doniphan.

From Quincy to Stockton.

From Mount Vernon, via Spring River Academy, Golden Grove, Lamar, Baker's Grove, and Washington Adams, to Fort Scott, in Kansas.

From Savannah, via Maryville, Bedford, and Afton, to Winterset, in Iowa.

From Saint Joseph, via Rochester, Albany, Eagle, Leon, Osceola, Indianola, 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 Ottowa.

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. *Ante*, pp. 7, 189.

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. Dicks'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 Saint Peters, Scandian Grove, and Sibley, to Henderson.

From Rushford to Preston.

From Chaska to Saint Bonifacius.

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.

Iowa.
Ante, pp. 8, 189.

From Blakesburg to Moravia.
From Des Moines to New Jefferson.
From Sigourney to Askoloosa.
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, Wancosta, Fern Valley, and Emmettsburg, 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 Osceola, via La Salle, to Hopeville.
From Burlington, via Port Louisa and Grandview, to Ononioa.
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, Pennville, Greencastle, Birdseye Ridge, Pleasantville, New Boston, Bucklin, Westville, to Keitsville.
From Onawa 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 Recerville, via Wentworth, to Le Roy, in Minnesota.
From Des Moines, via Chariton, Corydon, and Linersville, to Chillicothe, in Missouri.

Post routes in Iowa.

From Postville to Wauken.
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 Marshaltown, via Timber Creek and College Farm, to Newton.
From New Oregon to Austin, Minnesota.
From Clio to Iowa Centre.
From Pottsville to Wauken.
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, Bradeys, Yankeetown, Rising Sun, and Alexander's Mills, to De Sota.
From Princeton, via Germania, to Montelle.
From Pella to Shawnee.
From Woodman, via Millerville, Mount Hope, and Tafton, to Beetown.
From Port Washington to Wabacca.
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.

Wisconsin.
Ante, pp. 8, 189.

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.

California.
Ante, pp. 5, 190.

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 Susansville.
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 Suison 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.

Post routes in 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, Botts Fork, Sulphur Spring, and Cherokee, to Blair.
From Somerset to Knorville.
From Beattysville to Thompsonville.

MONTANA TERRITORY.

Montana Territory.
Ante, p. 190.

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.

Washington Territory.
Ante, p. 8.

From Seattle, via Tree Posts, Pass Blakeley, to Pass Orchard.

DAKOTA TERRITORY.

Dakota Territory.
Ante, p. 6.

From Fort Randall to Fort Sully.
From Sioux Falls to Ponca.
From Fort Wadsworth to Devil's Lake.

OREGON.

Oregon.
Ante, p. 190.

From Dallas City, via Selilo, Umatilla, Wallula, to Walla-Walla.

UTAH TERRITORY.

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.

Kansas.
Ante, pp. 8, 189.

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.

Nevada.
Ante, pp. 7, 190.

From West Gate to Ione.
From Austin to Unionville.
From Austin, via Pahranagat and Callville, to Fort Mojave.

NEW JERSEY.

New Jersey.

From Woodmansee to Mannahawkin.

NEBRASKA TERRITORY.

Nebraska Territory.
Ante, p. 7.

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.

IDAHO TERRITORY.

From Idaho City to Rocky Bar.
From Ruby City, via Puebla 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 Clanyon City, in Oregon.
From Idaho City to Silver City.

Montana Territory.
Ante, p. 190.

MONTANA TERRITORY.

From Helena to Wallula.
From Wallula to Seattle.
From Kalmiche 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 Cut 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.
Ante, pp. 6, 287.

DAKOTA TERRITORY.

From Panca Agency to Chateau.
From Fort Sully to Virginia City, in Montana Territory.

Indian 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.*

Clerks of district courts in Washington Territory, their appointment, duties, and powers.

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.

CHAP. CCLXIX. — *An Act to provide for and to regulate the Weighing of Exports, 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 upon all weighable articles hereafter exported, upon which a drawback or return duty is allowed, and upon all weighable goods withdrawn from bonded warehouses 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.

Upon certain weighable articles exported, three cents per hundred pounds to be collected.

SEC. 2. *And be it further enacted*, That the office of measurer at the port of New York is hereby abolished, and the duties heretofore performed by them shall be performed by the weighers.

Office of measurerer at New York abolished.

Duties to be performed by 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.

Salary of weighers at New York.

Proviso.

APPROVED, July 26, 1866.

CHAP. CCLXX. — *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.* July 26, 1866.

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.

Public lands granted to Kansas to aid in construction of a railroad and telegraph from Fort Riley to Fort Smith.

If any of granted lands have been sold or reserved, &c. other lands may be selected in lieu thereof.

Lands heretofore reserved excepted from this act.

Right of way granted.

Lands not to be selected beyond twenty miles from line of road.

Remaining lands, &c. not to be sold for less than double the minimum price.

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: *Provided*,

Settlers under pre-emption laws;

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: *Provided, also*,

under the homestead act.

That settlers under 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.

Conditions of this grant.

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 therefor to the government, when required to do so by any department thereof. And

Granted lands to inure to benefit of company as follows.

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 so many sections of the land herein granted within the limits above named, and 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*,

If road is not completed in ten years, unpatented lands to revert.

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.

When maps of route of road are filed, lands to be withdrawn from market.

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 *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.

United States mail to be carried.

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.

Right of way through public lands granted for the railroad.

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, switches, side-tracks, turn-tables, and water-stations.

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 and within one year.

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.

Pacific Railroad Company, southern branch, may extend its road, through Indian Territory, by consent, to Fort Smith.

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.

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.

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.

Company may acquire title from certain Indians.

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.

Any railroad company may unite with this company, after, &c.

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. CCLXXVII. — *An Act to incorporate the Washington Temperance Society of the City of Washington, District of Columbia.* July 27, 1866.

Washington Temperance Society incorporated.

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.

Name.

Corporate powers.

Limit to amount of property.

SEC. 2. *And be it further enacted*, That the said corporation and their

Corporate powers.

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, defend 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.

Meetings, by-laws, &c.

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.

Corporation not to issue notes, &c. as currency.

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.

Act may be altered, &c.

SEC. 5. *And be it further enacted*, That this act may be altered or repealed at the pleasure of the Congress.

APPROVED, July 27, 1866.

July 27, 1866.

CHAP. CCLXXVIII. — *An Act granting Lands to aid in the Construction of a Railroad and Telegraph Line from the States of Missouri and Arkansas to the Pacific Coast.*

Atlantic and Pacific Railroad Company incorporated.

Corporators.

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, Samuel P. Dinsmore, 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. Shepard, 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 Ramsdell, Isaac H. Knox, John A. C. Gray, Daniel L. Ross, A. V. Stout, M. K. Jessup, R. E. Fenton, E. L. 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 McMichael, T. Haskins Du Puy, Thomas A. Scott, Charles Rickettson, William Lyon, George W. Cass, Levi Parsons, of Pennsylvania; Charles Knap, J. L. N. Stratton, James B. Dayton, Robert F. Stockton, Alexander 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 Baker, Samuel Galloway, David Tod, Charles Anderson, Bird B. Chapman, Edward Sturgis, Israel Dille, of Ohio; Edwin Peck, William D. Griswold, James P. Luse, 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, Alexander Mitchell, J. J. Williams, G. A. Thompson, J. J. R. Pease, John H. Hersey, of Wisconsin; Henry A. Smith, Sherman Finch, William Mitchell, 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. McElheny, 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,

Benjamian Gratz, C. E. Warren, Lazarus W. Powell, John Mason Brown, Joshua Speed, of Kentucky; Solon Thatcher, Jacob Stotter, William B. Edwards, James G. Blunt, Robert McBratney, of Kansas; Harrison Hagaus, James Cook, Robert Crangle, Benjamin H. Smith, of West Virginia; Lorenzo Sherwood, A. J. Hamilton, of Texas; William Gilpin, Henry C. Leach, of Colorado; Phinneas Banning, Timothy G. Phelps, William B. Carr, Edward F. Beale, Fred. F. Lowe, Benj. B. Redding, B. W. Hathaway, Leonidas Haskell, Frederick Billings, of California; W. S. Ladd, J. R. Moores, Walter Monteith, John Kelly, B. F. Dowell, of Oregon; James L. Johnson, Henry Connelly, Franciscus 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 on 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 *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

Corporators.

Name of corporation, &c.

Seal.

Corporation may locate and construct railroad and telegraph line.

Termini and route.

Branch eastwardly to near Van Buren, Arkansas.

Powers and privileges.

Capital stock.

Persons before named appointed board of commissioners.

Quorum.

First meeting of commissioners.

Notice.

Organization of board and officers.

Treasurer to give bonds.

Secretary to be sworn.

Other meetings, how called.

Commissioners to open books for subscriptions to stock.

said boards 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.

When and how first meeting of subscribers to stock to be called.

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.

Directors.

Each share to have a vote.

Inspectors of election.

Commissioners to deliver to directors all moneys, books, &c. and their duties to cease.

Annual meetings of corporation.

Right of way granted through public lands for construction of railroad and telegraph.

Materials for construction.

Extent of grant of right of way.

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, side-tracks, turn-tables, and water-stations; and the right of way shall be exempt from taxation within the Territories of the United States. The United States shall extinguish, 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.

Right of way exempt from taxation.

Indian title to be extinguished.

Public lands granted to the corporation to aid in the construction of railroad and telegraph.

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 alternate sections, and designated by odd numbers, not more than ten miles beyond the limits of said alternate sections, and not including the reserved 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 heretofore granted shall be deducted from the amount granted by this act: *Provided further*, 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 unoccupied 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 "mineral," 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."

If any of granted lands have been sold, or reserved, &c. other lands may be selected in lieu thereof.

If route is found to be upon the line of any other road to which lands have been granted, amount of former grant to be deducted.

Road having previous grant may assign to, or unite with, this company.

Mineral lands excluded from operation of this act.

The word "mineral" not to include "iron or coal."

No money to be drawn from treasury to aid in construction of this road.

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 contemplated, the President of the United States shall appoint three commissioners 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 opposite 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 verified by said 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 twenty-five miles of said road is completed as aforesaid.

Upon report of commissioners under oath that twenty-five consecutive miles are completed, patents for coterminous lands to issue to company;

and so as to any other twenty-five consecutive miles.

SEC. 5. *And be it further enacted*, That said Atlantic and Pacific Railroad 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 furniture 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 throughout the entire length of the road. And there shall be constructed a telegraph line, of the most substantial and approved description, to be operated along the entire line: *Provided*, That the said company shall not charge the government higher rates than they do individuals for like transportation and telegraphic service. And it shall be the duty of the Atlantic and Pacific Railroad Company to permit any other railroad which shall be authorized to be built by the United States, or by the legislature

Railroad how to be constructed.

Rails.

Gauge.

Telegraph line.

Rates for service.

Other railroads may form running connections 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.

Lands on both sides of line of route of railroad.

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.

Odd sections not liable to sale, or entry or pre-emption.

Provisions of pre-emption and homestead acts extended to lands on line of road.

1841, ch. 16, §10. Vol. v. p. 455.

1862, ch. 75. Vol. xii. p. 392.

Company may take any land necessary for working of road.

Width.

Lands for stations, &c.

Trees.

Damages, how to be determined.

When lands are to be deemed taken by the company.

Appeal to a jury.

Appellant to give bonds.

Costs.

Payment into court of a sum equal to final award to vest title of land in company.

Proceedings where lands taken are held by persons under disability.

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 kinds 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.

Proceedings where the interest in the land is for a term of years, &c.; where lands are unoccupied and without apparent owner.

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.

Rights and privileges of this act are granted and accepted, upon conditions, &c.

Work, when to be commenced and when completed.

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.

If conditions are broken and continue so one year, the United States may complete the 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.

Who may subscribe to stock.

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.

Railroad to be a post route and military road.

Charges for 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.

Acceptance of these conditions by company to be in writing, and within two years.

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-

Annual report.

Rates of fare, tolls, &c.

tary 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.

President and vice-president.

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 said 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.

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.

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 holden 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, 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.

Powers of directors.

Quorum.

By-laws.

Vacancies.

Engineers, agents, &c.

Ten per cent of subscriptions to be paid in cash.

Balance, when to be paid.

Notice when payments are due.

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 cash assessment upon 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.

If stockholders neglect to pay, stock and previous payments forfeited.

Redemption.

Company may accept and hold any grant, loan, aid, &c.

SEC. 17. *And be it further enacted*, That the said company is authorized to accept to its own use any grant, donation, loan, power, franchise, 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,

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.

Grant from any Indian tribe to 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.

Southern Pacific R. R. Co. may connect with the Atlantic and Pacific road.

Point of connection.

Gauge and rates of fare.

May have similar grants of land on like terms.

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.

This act to be void, unless, &c.

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.

Act may be altered or repealed.

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.

When in grants to corporations, the United States reserves the right to appoint directors, or agents, &c. all costs, pay, &c. of such persons are to be borne by the corporations.

Rate of pay to such persons.

If company neglects to make such payments, no more patents for lands, &c. to issue.

APPROVED, July 27, 1866.

CHAP. CCLXXIX. — *An Act to incorporate the General Hospital of the District of Columbia.* July 27, 1866.

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 Knap, Benjamin B. French, James C. McGuire, Charles H. Nichols, William B. Todd, William Gunton, Edward Simms, 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-

General Hospital of the District of Columbia incorporated.

Name and powers of corporation.

ington, 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.

Annual income of property not to exceed, &c.

President and other officers.

Vacancies.

Powers of corporation.

Property to be devoted to what purposes.

By-laws.

Act may be altered.

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.

July 27, 1866.

CHAP. CCLXXX. — *An Act in Relation to the District Courts of the United States in the States of California and Louisiana.*

California and Louisiana respectively to form only one judicial district.

How called.

Judges, marshals, and attorneys.

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.

Pending, &c. process.

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.

Clerks of southern district of California and western district

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.

of Louisiana to deposit books and property with the clerks of courts hereby established.

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.

Executions to collect judgments heretofore rendered.

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.

Salary of judge for the district of Louisiana.

APPROVED, July 27, 1866.

CHAP. CCLXXXI. — *An Act to authorize the Use in Post Offices of Weights of the Denomination of Grams.*

July 27, 1866.

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.

Postal balances denominated in grams of the metric system may be furnished certain post-offices.

One half ounce to be the equivalent of fifteen grams.

APPROVED, July 27, 1866.

CHAP. CCLXXXII. — *An Act to authorize the Refunding of certain Taxes.*

July 27, 1866.

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.

Certain license taxes of wholesale dealers may be refunded. 1864, ch. 173, § 79. Vol. xiii. p. 251.

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.*

July 27, 1866.

1865, ch. 78, § 13. Vol. xiii. p. 485.

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

Section 13 of the act 1866, ch. 78, amended by substituting the words "without

paying the special tax therefor," for "without having first obtained a license so to do."

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, amended by striking out the words "without having first obtained a license so to do," and inserting in lieu thereof the words, "without paying the special tax therefor."

Approved, July 27, 1866.

July 27, 1866.

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.*

One appraiser to be appointed at the port of New York.

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.

Qualifications.

Oath.

Packages to be sent for examination and appraisement.

Proviso.

When and how appraiser may act by deputy.

Ten assistant appraisers to be appointed for the port of New York.

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.

Qualifications.

To act under direction of appraiser.

Oath.

Their report approved by appraiser, to be deemed the appraisement required by law.

One of the assistant appraisers to act as special examiner of drugs.

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.

1848, ch. 70. Vol. ix. p. 237.

One assistant appraiser to examine damaged merchandise.

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.

Examiners to be appointed.

Number and pay to be determined by Secretary of Treasury.

Qualifications.

Oath.

Clerks, verifiers, samplers, openers, packers, and messengers.

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.

No officer appointed under this act to engage in mercantile business.

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.

Pay of appraiser and assistants.

SEC. 7. *And be it further enacted*, That the compensation allowed, respectively, to the appraiser and the assistant appraisers, under the provision 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.

Compensation to be paid monthly.

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.

Inconsistent laws repealed.

Present laws respecting appraisers, &c. to apply to those appointed under this act.

When this act takes effect.

SEC. 9. *And be it further enacted*, That if at any time, from an in-

Assistant appraisers may be required to work more than usual business hours.

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.

Aids to the revenue to have pay of inspectors of customs.

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.

July 27, 1866.

CHAP. CCLXXXV. — *An Act for the Relief of Sufferers by Fire at Portland.*

Certain imports at Portland, Me., to be free of duty.

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.

Drawback of import duties on materials used in buildings erected on the ground burned over.

Proviso.

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.

July 27, 1866.

CHAP. CCLXXXVI. — *An Act to prevent the Wearing of Sheath Knives by American Seamen.*

Seamen in merchant service not to wear sheath knives.

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.

Persons offering to ship as seamen to be notified of law.

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

Penalty.

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.

CHAP. CCLXXXVII. — *An Act to further regulate the Printing of public Documents, and the Purchase of Paper for the public Printing.* July 27, 1866.

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.

Number of copies of reports of Executive departments and documents to be printed for use of departments; 1864, ch. 155. Vol. xiii. p. 184.

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.

Additional of papers relating to foreign affairs accompanying annual message.

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.

Statement of offers of supplies in report of secretary of navy to be omitted, &c.

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 the government of the United States with paper, of the quality and in the quantity specified in the advertisements, and it shall be the duty of the superintendent to furnish samples of the standard papers adopted by the committee to applicants therefor; the said sealed proposals to be opened before and the award of contracts to be made by the joint committee on printing to the lowest and best bidder for the interest of the government: *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 of 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.

Superintendent of public printing to submit estimates to committee of paper required for the year.

Committee to fix on standard for different kinds of paper.

Proposals to be advertised for, and how.

Samples.

Proposals to be opened before, and an award made by, committee.

Advertisement for proposals to state what.

Proposals of manufacturers or dealers only to be considered.

Equitable time to be allowed for filling contracts.

No contract valid unless approved by committee.

Annual report of superintendent to include what.

Superintendent of public printing to see that paper delivered conforms to contract.

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.

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 immediate.

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.

Conflicting provisions of law repealed.

Superintendent not to print greater number of copies unless, &c.

APPROVED, July 27, 1866.

July 27, 1866.

[Amended. See 1867, ch. 196. *Post*, p. 558.]

CHAP. CCLXXXVIII. — *An Act for the Removal of Causes in certain Cases from State Courts.*

Suits where the matter in dispute exceeds $500 in State courts against aliens, or by citizens of the State where brought, against any citizen of said State and a citizen of another State, if the suits are, &c. may be

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 as it concerns him, without the presence of the other defendants as parties in the cause, then and in every such case the alien defendant, or the defendant who is a citizen of a State other than that in which the suit is brought, may, at any time before the trial or final hearing of the cause, file a petition for the removal of the cause as against him into the next circuit court of the United States to be held in the district where the suit is pending, and offer good and *and* sufficient surety for his entering in such court, on the first day of its session, copies of said process against him, and of all pleadings, depositions, testimony, and other proceedings in said cause affecting or concerning him, and also for his there appearing and entering special bail in the cause, if special bail was originally requisite therein; and it shall be thereupon the duty of the State court to accept the surety and proceed no further in the cause as against the defendant so applying for its removal; and any bail that may have been originally taken shall be discharged, and the said copies being entered as aforesaid in such court of the United States, the cause shall there proceed in the same manner as if it had been brought there by original process against the defendant who shall have so filed a petition for its removal as above provided. And any attachment of the goods or estate of the defendant by the original process shall hold the goods or estate so attached to answer the final judgment, in the same manner as by the laws of such State they would have been holden to answer final judgment had it been rendered by the court in which the suit commenced; and any injunction granted before the removal of the cause against the defendant applying for its removal shall continue in force until modified or dissolved by the United States court into which the cause shall be removed; and any bond of indemnity or other obligation given by the plaintiff upon the issuing or granting of any attachment, writ of injunction, or other restraining process against the defendant petitioning for the removal of the cause, shall also continue in full force and may be prosecuted by the defendant and made available for his indemnity in case the attachment, injunction, or other restraining process be set aside or dissolved, or judgment be rendered in his favor, in the same manner and with the same force and effect as if such injunction, attachment, or restraining process had been granted, and such bond had been originally filed or given in the court to which the cause is removed. And such removal of the cause, as against the defendant petitioning therefor, into the United States court, shall not be deemed to prejudice or take away the right of the plaintiff to proceed at the same time with the suit in the State court as against the other defendants, if he shall desire to do so. And the copies of all pleadings filed or entered as aforesaid in the United States court by the defendant applying for the removal of the cause, shall have the same force and effect in every respect and for every purpose as the original pleadings would have had by the laws and practice of the courts of such State if the cause had remained in the State court.

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 Hostilit[i]es.*

July 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 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-

Claims of Nebraska for expenses in suppression of Indian hostilities to be examined, allowed, and paid.

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.

Proviso.

Appropriation.

APPROVED, July 27, 1866.

July 28, 1866.

CHAP. CCXCIII. — *An Act to fix the Compensation of certain Collectors of Customs, and for other Purposes.*

Salaries of certain collectors of customs changed and established.

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 Cherry-stone, Virginia; Brunswick, Georgia; [Saint] Augustine, Saint Mark's, and Apolachicola, Florida, and Techê, Louisiana, five hundred dollars a year each.

Maximum.

District of Corpus Christi in Texas established, and collector authorized.

Corpus Christi to be port of entry, and Aransas a port of delivery.

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, Encinao, 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.

Indianola to be port of entry for district of Saluria.

This act to take effect August 1, 1866.

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.

Pay of certain deputy collectors, general and local appraisers; deputy naval officers and surveyors; custom-house weighers.

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-

five per centum, as now provided by law, shall be continued to officers as aforesaid at the port of San Francisco.

Twenty-five per cent additional to officers at 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.

Blank books, blanks, and stationery for officers of customs.

SEC. 6. *And be it further enacted*, That the fourth section of the act of February twenty-eight, 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.

Per diem compensation of appraisers not increased by act. 1865, ch. 67, § 4. Vol. xiii. p. 442

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.* July 28, 1866.

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.

Clerk of supreme court of District of Columbia to pay into treasury all excess of earnings.

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.

Accounts of earnings and expenses, how to be adjusted.

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.

Court to pass upon report of auditor.

Account, how to be settled

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.

Clerk to furnish copy of decree to solicitor of treasury.

SEC. 5. *And be it further enacted*, That all other modes of accounting for the earnings of said office are hereby repealed.

Repealing clause.

APPROVED, July 28, 1866.

CHAP. CCXCV. — *An Act for the Relief of the Trustees and Stewards of the Mission Church of the Wyandotte Indians.* July 28, 1866.

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-

Trustees, &c. of Wyandotte and Quindaro mission of the Kan-

Kansas Conference to be paid for destruction of church buildings, &c. Appropriation.

odist Episcopal Church, for the destruction of their Church buildings and library, four thousand six hundred and eighty dollars, to be applied in rebuilding said buildings and enclosing the graveyards of the Wyandotte Indians in the State of Kansas, and that the sum hereby appropriated be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 28, 1866.

July 28, 1866.

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.*

Civil expenses appropriations.

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.

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.

Detection, &c. of counterfeiters of United States securities and coins.

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.

Seamen.

For supplying deficiency in the fund for the relief of sick and disabled seamen, two hundred thousand dollars.

Public buildings and furniture.

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.

Treasury extension.

For completion of north wing of treasury extension, and grading and fencing grounds, three hundred thousand dollars.

Roofs.

For replacing with slate or copper defective galvanized iron roofs, thirty thousand dollars.

Heating apparatus.

For reconstruction of heating apparatus, thirty thousand dollars.

Burglar-proof safes, &c.

For burglar-proof safes and vaults, thirty thousand dollars.

Office furniture.

For office furniture, and repairs of furniture, and miscellaneous expenses of the treasury bureaus, sixteen thousand dollars.

Detection, &c. of perpetrators of frauds upon the United States.

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.

Custom-house at Toledo;

For the completion of the custom-house building at Toledo, Ohio, its addition, and the approaches thereto, ten thousand dollars.

Charleston.

For the purpose of preserving from further dilapidation the new custom house building in Charleston, South Carolina, ten thousand dollars.

Arsenal at Hudson City.

For repairs of the United States arsenal at Hudson City, New Jersey, two thousand dollars.

Court house at Springfield, Illinois.

For additional appropriation to complete the new court house and post office at Springfield, Illinois, fifty thousand dollars.

Marine Hospital at Chelsea.

For repairs of Chelsea Marine Hospital, Chelsea, Massachusetts, forty thousand dollars.

National cemeteries.

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.

Medical and surgical history of the rebellion.

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

Medical statistics of provost-marshal general's bureau.

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.

Editions, how to be disposed of. Engraving and lithographing therefor.

For transportation of officers of the marine corps, their servants, troops, and expenses of recruiting, fifteen thousand dollars.

Marine corps.

For the enlargement and repairs of the custom-house and post-office buildings at Bangor, Maine, thirty-five thousand dollars.

Custom-house, &c. at Bangor;

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.

at Middletown.

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.

Chapel at naval academy.

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.

Coast survey.

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.

Survey of Isthmus of Darien for ship canal.

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.

Statistics of gold and silver mines of Western States and Territories.

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

Light-house establishment.

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 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 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.

Consul at Quebec.

For compensation to the consul at Quebec, in Canada, fifteen hundred dollars.

Light-houses, &c. on the coasts of California, Oregon, and Washington.

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.

Officers of army on light-house duty.

For fuel and quarters of officers of the army serving on light-house duty, the same not being provided for by the quartermaster's department, five thousand dollars.

Block Island light-house.

For rebuilding Block Island light-house, near Rhode Island, upon a more eligible site, fifteen thousand dollars.

Light-house on Race Rock.

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.

Rebuilding beacons.

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.

Light-houses and stations.

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.

Life-boats, stations, &c. for preservation from shipwreck.

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.

Light-houses, &c.

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. Light-houses, &c.

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, Mantinicus, Seguin, 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. Fog-signals.

For compensation of two superintendents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars. Superintendents of life-saving stations.

For compensation of fifty-four keepers of stations at two hundred dollars each, ten thousand eight hundred dollars. Keepers of stations.

For a new light-house at Grand Point Aux Sables, Lake Michigan, thirty-five thousand dollars. Light-houses.

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. Proviso.

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. Re-establishing lights on Southern coast.

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. Furnishing President's house.

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. Little Falls bridge.

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. Interest on sums loaned for government purposes.

Extra pay to commissioner and chief clerk of general land office.

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.

Iron fences, &c.

For painting iron fences, two thousand five hundred dollars.

For repairing 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.

Water-pipes, road drainage, &c.

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.

Botanic garden.

For an iron fence around the botanic garden, fifteen thousand dollars.

Escutcheons of West Virginia and Nevada.

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 West Virginia and Nevada, the sum of one hundred and thirty dollars.

Additional laborer in library of Congress.

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.

Warming library.

For purchase of coal and pay of firemen to warm the library of Congress, two thousand two hundred and eighty dollars.

Transient paupers

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.

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.

Capitol water-closets.

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.

Virginia Avenue.

For grading and repairing Virginia Avenue, ten thousand dollars.

Water-pipes.

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.

Capitol extension.

For the capitol extension, two hundred 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 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.

Corporation of Washington, how to light 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.

Pay of lamp-lighters, &c.

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

Bridges.

For repairs of Pennsylvania Avenue, five thousand dollars.

Miscellaneous.

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.

Extra clerks in office of Indian affairs.
1854, ch. 267. Vol. x. p. 581.
1855, ch. 175, §22. Vol. x. p. 673.
1865, ch. 127. Vol. xiii. p. 557.

For the continuation of the work upon the north portico of the patent office building, *of* fifty thousand dollars.

Patent office.

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.

Northeast executive building.

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.

Commissioners to revise statutes.
1866, ch. 140. *Ante*, p. 74.

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 *of* the Interior for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, twenty-five thousand dollars.

Temporary clerks in pension office.

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 District of Columbia.

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. Vol. xiii. p. 409.

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.

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

Washington aqueduct.

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.

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.

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. Columbian Institution for the Deaf and Dumb.

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. Providence Hospital. Proviso. 1864, ch. 50. Vol. xiii. p. 43.

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. Destitute colored women and children. 1863, ch. 33. Vol. xii. p. 650.

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. Reimbursement of Washington for expenses for streets, &c. 1864, ch. 81, § 3. Vol. xiii. p. 69.

Congressional Library. — To complete the extension of the library of Congress, twenty-two thousand dollars. Congressional library.

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. Decoration of capitol. 1856, ch. 129. Vol. xi. p. 88.

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. Pay of laborers.

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 exe- Fire-proof building, for treasury. Presses, machinery, &c. in treasury building may be sold at auction. Washington and Georgetown to provide, &c. buildings for orphan's court, and fire-proof vault for register of wills.

cuting this order, the said corporations of Washington and Georgetown, and the levy court of the county of Washington in the District of Columbia, are hereby authorized and directed to levy and collect a suitable tax upon the property embraced within their respective jurisdictions.

A tax to be levied therefor.

General post-office building.

General Post-Office Building. — For completing the extension of the general post-office building, forty thousand dollars.

Surveys of public lands in Minnesota;

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, twenty thousand dollars.

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.

Site for building for federal offices at Des Moines.

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.

Government building at Portland, Me.

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.

Seminoles. *Post*, Treaties, p. 72.

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 centum 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 the erection of agency buildings, as per sixth article of treaty of March twenty-first, 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 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.

Creeks.

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. 103.

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, as per fourteenth article of said treaty, ten 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 United States depositary at

SEC. 2. *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 objects hereinafter expressed, viz: —

Louisville;

Office of the United States depositary, 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.

Chicago;

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.

Pittsburg;

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.

Baltimore;

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 clerk, twelve hundred dollars.

For salary of messenger, nine hundred dollars.

For contingent expenses, three hundred and sixty dollars.

San Francisco.

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.

Office United States depositary at Cincinnati.

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 out the national forces and for other purposes approved February twenty-fourth, eighteen hundred and sixty-four" for each person so claimed to be held to service or labor who has enlisted or been drafted into the military service of the United States; but such payment shall in no case be made to any person except upon satisfactory proof that the claimant has firmly and faithfully maintained his or her adherence and allegiance to the government of the United States, by defending its cause against the government and forces of the so-called confederate states of America, in all suitable and practicable ways, and according to his or her ability and opportunity: *Provided*, That no money shall be paid under the foregoing provision until the final report of the commissioners under the act aforesaid shall have been made on all the claims embraced in the twenty-fourth section of said act.

Portions of commutation fund appropriated to pay awards to loyal persons for services of colored volunteers or drafted men. 1864, ch. 13, § 24. Vol. xiii. p. 11.

Allegiance of claimant to government to be satisfactorily proved

No money to be paid until final report of commissioners.

See *Post*, p. 377. Vol. xv. p. 29.

SEC. 3. *And be it further enacted*, That so much of "An act making additional appropriations, and to supply 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," approved April seventh, eighteen hundred and sixty-six, as provides "for compensation of the revenue agent stationed at New York, in addition to the sum authorized by act of June thirtieth, eighteen hundred and sixty-five, including one thousand dollars for the current fiscal year, two thousand dollars," be, and the same are hereby, repealed.

Provision for pay of revenue agent at New York repealed.

1866, ch. 28. *Ante*, p. 22.

SEC. 4. *And be it further enacted*, That nine hundred and twenty-five thousand dollars, or so much thereof as shall be necessary, is hereby appropriated out of the revenues of the Post Office Department, to supply the deficiency for the mail service for the fiscal year ending June thirtieth, eighteen hundred and sixty-six.

Deficiency for mail service for 1866.

SEC. 5. *And be it further enacted*, That each watchman in the public buildings and grounds under the commissioner of public buildings, whose pay is less than one thousand dollars a year, shall, from the first day of July, eighteen hundred and sixty-six, receive a compensation of nine hundred dollars per annum.

Pay of watchmen in public buildings.

SEC. 6. *And be it further enacted*, That from and after the thirtieth day of June, eighteen hundred and sixty-six, the compensation of the metropolitan police force of the District of Columbia be, and the same is hereby, increased as follows, viz: Twenty dollars per month, and the necessary sum required is hereby appropriated; also, an additional increase of ten dollars a month, said additional 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 county of Washington outside of the corporate limits; and the cities of Washington and Georgetown, and the levy court of said county, be, and they are hereby, authorized and empowered to levy a special

Increase of pay of metropolitan police force;

to be borne by Washington and Georgetown, and in what proportion.

Special tax may be levied therefor.

tax not exceeding one quarter of one per centum for the purpose aforesaid, and for no other purpose whatsoever.

Property saved from rebel steamer Florida may be sold, and proceeds distributed.

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.

Midshipmen, &c. entitled to one ration, &c.

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.

Appropriation for minister resident in Greece repealed.

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.

1863, ch. 79. Vol. xii. p. 752.

Travelling expenses of first Michigan cavalry.

SEC. 10. *And be it further enacted*, That there is hereby appropriated for the payment of travelling expenses 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.

Judicial powers extended to American consuls, &c. in Egypt.

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.

1860, ch. 179, § 22. Vol. xii. p. 76.

Consul-general at Alexandria.

Additional bounty of $100 to certain enlisted soldiers, honorably discharged;

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.

or their widows, minor children, or parents.

Additional bounty of $50 to certain enlisted soldiers, &c.

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, shall be paid an additional bounty of fifty dollars, 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.

Soldiers who have sold, assigned, loaned, &c. their discharge papers, not entitled to the bounty.

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.

Soldier applying for bounty to make oath.

Claim not to be entertained, except, &c.

Paymaster-general to examine accounts of soldiers making application for bounties, &c

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 thereto shall pay said bounties.

Rules for accounting officers in paying claims of widows, &c. for additional bounty.

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.

Pay and mileage of senators, representatives, and delegates in Congress.

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.

Accrued mileage accounts not affected.

Mileage accounts, how to be certified.

Pay of speaker.

Twenty per cent additional pay to officers, clerks, reporters, &c. of Senate and House of Representatives, and librarian, &c. of congressional library.

SEC. 18. *And be it further enacted*, That there be allowed and paid to the officers, clerks, committee clerks, messengers, and all other employés of the Senate and House of Representatives, and to the Globe and official reporters of each house, and 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 employés 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.

Preservation of harbor of Provincetown, Mass.

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.*

Deficiencies appropriations for 1866.

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.

Executive. — For contingent expenses of the executive office, including stationery thereof, four thousand dollars.

Treasury Department.

Treasury Department. — Office of the first comptroller:

Office of 1st comptroller; comptroller of currency.

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.

Light-House Board. — For contingent expenses, viz: For stationery, miscellaneous expenses, and postage, and renewing furniture and cases in the office, one thousand dollars.

Stationery.

For stationery for the Treasury Department and its various bureaus, twenty thousand dollars.

Southeast executive building.

For southeast executive building, including the extension, viz:

For contingent expenses, 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 Interior.

Department of the Interior. — For additional compensation for the assistant secretary, five hundred dollars.

Assistant secretary.

Biennial Register.

For compiling and supervising the Biennial Register, five hundred dollars.

Post Office Department.

Post Office Department. — For additional compensation to three assistant postmasters general, at five hundred dollars each, fifteen hundred dollars.

Additional pay of assistant postmasters general.

Pay of additional clerks. 1866, ch. 10. *Ante*, p. 3.

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-six, forty-four thousand two hundred dollars, for the fiscal year ending June thirtieth eighteen hundred and sixty-seven.

Contingent expenses.

For contingent expenses, five thousand dollars.

Twenty per cent additional to female clerks. 1864, ch. 147, § 3. Vol. xiii. p. 160.

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.

Female folders in dead-letter office to have $50 a month.

Twenty per cent additional to laborers.

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 and forty dollars.

District attorneys.

District Attorneys. — For compensation of attorney for 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.

Mail steamship service with Brazil.

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. Navy hospital at Washington.

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. Compensation of deputy solicitor of court of claims established.

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. General land office.

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. Marshal of eastern district of New York.

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 be then 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. Public buildings and grounds. Sewer through botanic garden. Proposals to be advertised for. Work to be let to lowest bidder, &c. Report to Congress of appropriations, &c. for this work.

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. Lower water-closets of supreme court room, &c.

To repair the planking and for other repairs to Long Bridge, over the Potomac, three thousand dollars. Long Bridge.

For iron seats for the public grounds, one thousand dollars. Public grounds.

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. President's house.

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. Lighting streets.

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 centum 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. Twenty per cent to messenger of court of claims.

To ventilate the bath-room of the House of Representatives, two hundred dollars. Bath-room of House of Representatives.

Pennsylvania bank building.

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. Indian service in Nevada.

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.

Payment to James W. Nye.

Statutes at large.

For additional compensation to the publishers of the statutes at large, twenty-four hundred and fifty-seven dollars and twenty-one cents.

Edward Jarvis, for digest of facts as to mortality and diseases, in census of 1860.

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, seven hundred and fifty 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.

Pay of temporary clerks in quartermaster-general's office made equal to that of first-class clerks.

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.

Expenses of delegation of Southern Cherokees.

Sum to be refunded from sales of lands.

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.

Increased pay of judges of supreme court of District of Columbia. 1866, ch. 103, § 2. *Ante*, p. 55.

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.

Quieting title to occupants of certain lands conveyed by the United States. Vol. vii. p. 190.

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 (26), the east half of section number twenty-eight (28), and section number twenty-seven (27), of township five south, range four east, lying in the county of Auglaize and State of Ohio.

Construction of 1865, ch. 78, § 4. Vol. xiii. p. 483.

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, 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 disbursement 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 appropriated in the said fourth section.

Collectors of internal revenue acting as disbursing agents, to disburse what moneys.

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.

Increased pay to capitol police.

SEC. 6. *And be it further enacted*, That the following sums be appropriated out of any money in the treasury not otherwise appropriated, viz:

Appropriation for depositary at Santa Fe.

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 reasonable, ten thousand dollars.

Additional clerks, &c. 1846, ch. 90. Vol. ix. p. 59.

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.

Life-saving stations. 1855, ch. 1. Vol. x. p. 597. 1856, ch. 160. Vol. xi. p. 95.

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 quartermaster-general's office, two hundred dollars for the current fiscal year.

Quartermaster-general's office.

For contingent expenses of the Senate, viz:

Contingent expenses of the Senate.

For the Senate folding-room, 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 directed 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.

Estimates for fire-proof buildings for War Department.

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 relating 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."

Amendment of 1849, ch. 129, § 4 Vol. ix. p. 415. 1789, ch. 12. Vol. i. p. 65.

SEC. 9. *And be it further enacted*, That the sum of five thousand dollars 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 down to the present Congress, in pursuance of the order of the Senate, dated March sixteen, eighteen hundred and sixty-six.

Index to Senate list of private claims.

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 *heretofore* [hereinafter] provided, viz:

Duties in lieu of former duties, from August 10, 1866, upon

Cigars, cigarettes, and cheroots.

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 of less quantity than three thousand in a single package; and all cigars on importation shall be placed in public store or bonded warehouse, and shall not be removed therefrom until the same 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;

Imported cigars, how to be packed; how to be entered, and where placed; to be stamped.

Stamps to be provided.

Cotton.

On cotton, three cents per pound;

Compounds or preparations of distilled spirits.

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.

Brandy, spirituous liquors, and wines how to be imported; if in less quantities after October 1, 1666, to be forfeited.

Vessels between the United States and Sandwich Islands, &c. not to pay tonnage duty more than once a year. 1865, ch. 80. Vol. xiii. p. 493.

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 or from any port in the Sandwich Islands or Society Islands.

Guano, exportation of certain. 1856, ch. 164. Vol. xi. p. 119.

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, 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.

Fishing bounties repealed.

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 [t]his 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.

Duties may be remitted on salt used in curing fish.

Goods arriving at designated ports, destined for places in adjacent provinces, &c. may be entered and carried through, &c.

Sec. 5. *And be it further enacted*, That, from and after the passage of this act, all goods, wares, or merchandise arriving at the ports of New York, Boston, and Portland, or any other port of the United States which may be specially designated by the Secretary of the Treasury, and destined for places in the adjacent British provinces, or arriving at the port of Point Isabel, Texas, or any other port of the United States which

may be specially designated by the Secretary of the Treasury, and destined 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 conditions for the protection of the revenue as the Secretary of the Treasury may prescribe.

Goods, with consent of authorities of provinces, &c. may be carried across their territory from one place to another in the United States.

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 provinces 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 regard to the liability to or exemption from duty, or tax, as if the transportation had taken place entirely within the limits of the United States.

Excess of moneys paid for duties, when may be refunded, without compliance with certain forms of law.
1864, ch. 171, §§ 14, 15.
Vol. xiii. p. 214.

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 requirements of the fourteenth and fifteenth sections of the act entitled "An act to increase the duties on imports, and for other purposes," approved June thirtieth, 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, consignee, or agent making such payments, he may draw his warrant upon the treasurer in favor of the person or persons entitled to the overpayment, directing the said treasurer to refund the same out of any money in the treasury not otherwise appropriated.

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, §§ 3, 4.
Vol. iv. p. 632.
1863, ch. 120, § 12.
Vol. xii. p. 820.
1863, ch. 120.
Vol. xii. p. 820.
1864, ch. 225.
Vol. xiii. p. 375

SEC. 8. *And be it further enacted*, That the provisions of the second, third, and fourth sections of the act approved March second, eighteen hundred and thirty-three, entitled "An act further to provide for the collection of duties on imports," and of the twelfth section of the act approved March third, eighteen hundred and sixty-three, 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," 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 hundred 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 property, 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 recovered, as provided for in the said twelfth section of the act approved March third, eighteen hundred and sixty-three, aforesaid, shall be made out of the moneys arising and obtained from the proceeds of sales and

Amounts recovered in suits against such officers, to be paid out of proceeds of sales and leases, &c.

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.

Dutiable value of imported merchandise, how to be determined.

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 centum; 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 invoice 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 centum 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 centum on such value: *Provided*, That the duty shall in no case be assessed upon an amount less than the invoice or entered value: *Provided further*, 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.

Additions to entered value to be part of actual value; if over ten per cent, what duty to be paid.

Duty never on less than invoiced value. This not to apply to certain wools, unless, &c.

Proceeds of goods sold, after remaining three years in public store, less expenses, &c. to be paid owner, &c. 1862, ch. 163, § 21. Vol. xii. p. 560.

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 public store or bonded warehouse beyond three years shall be regarded as abandoned to the government, and sold under such regulations as the Secretary of the Treasury may prescribe, and the proceeds paid into the treasury, be, and the same is hereby, amended so as to authorize the Secretary 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 provision of the first section of the warehouse act of August six, eighteen hundred and forty-six.

1846, ch. 84, § 1. Vol. ix. p. 53.

Machinery to make sugar from beets may be duty free for one year.

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.

Upon reimportation of products of the United States that have not paid an internal tax, a duty shall be imposed equal to such tax.

Sec. 12. *And be it further enacted*, That upon the reimportation of articles once exported of the growth, product, 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.

Bureau of statistics established in Treasury Department.

Director, his salary and duties.

Statistics of commerce and navigation.

Report, when to be submitted to Congress.

Monthly reports of exports and imports.

Annual statement of vessels.

System of numbering vessels enrolled, registered, and licensed, may be established.

Numbers, how to be marked.

Vessel ceasing to be marked ceases to be a United States vessel.

Annual statement of merchandise in transit, warehoused, &c.

Statistics of manufacture.

Clerks.

Expenses of bureau.

Franking privilege.

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.

Collection of direct tax in any State declared in insurrection may be suspended until Jan. 1, 1868.

1861, ch. 45. Vol. xii. p. 292

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCXCIX.—*An Act to increase and fix the Military Peace Establishment of the United States.*

See 1867, ch. 159. *Post*, p. 434.

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.

Military peace establishment to consist of what.

Artillery.

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.

Cavalry.

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 but 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.

Infantry.

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 volunteers, 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.

Appointments from volunteer officers and soldiers, how distributed.

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. Proviso.

Each regiment of infantry to have what officers and men.

SEC. 6. *And be it further enacted*, That each regiment of infantry provided for by this act shall have one colonel, one lieutenant-colonel, one major, one adjutant, one regimental-quartermaster, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, one hospital-steward, two principal musicians, and ten companies; and the adjutant and quartermaster 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 privates may be increased at the discretion of the President, not to exceed one hundred, whenever the exigencies of the service require such increase; 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. Indian scouts.

Military bands.

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 brigades 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 steward 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 sergeant, 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. Ordnance sergeant, hospital steward, and post chaplain. Superintendent to each national cemetery.

Enlistments hereafter to be for what term. Recruits at general rendezvous.

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 minimum 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 enlisted, shall be assigned to service exclusively in the regiments of the Veteran Reserve corps. When men who have been wounded may be enlisted; to what regiments to be assigned.

General, lieutenant-general, major-generals, brigadier-generals.

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.

Adjutant-general's department.

SEC. 10. *And be it further enacted*, That the adjutant-general's department 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-

teen assistant adjutants-general, with the rank, pay, and emoluments of majors of cavalry.

Inspectors-general and assistant inspectors-general.

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.

Bureau of military justice.

Judge-advocate-general, &c.

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 heretofore 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.

1867, ch. 79. *Post*, p. 410.

Quartermaster's department.

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.

Vacancies, how filled.

Military storekeeper.

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.

Provisions of 1864, ch. 253. Vol. xiii. p. 394. extended.

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.

Subsistence department.

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.

Medical department.

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

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.

Medical department.

Vacancies.

1867, ch. 145, § 5.
Post, p. 423.

Hospital stewards.

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.

Pay department.

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.

Corps of engineers.

SEC. 20. *And be it further enacted*, That the five companies of engineer soldiers, and the sergeant-major and quartermaster-sergeant heretofore 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.

Engineer soldiers.

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.

Ordnance department.

Storekeeper and paymaster at Springfield.

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

Chief signal officer.

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.

Signal duty.

Appointment of adjutant-general and heads of departments.

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.

Appointments to be made from qualifications and services.

Mileage.

Office of sutler abolished.

Articles, how to be furnished.

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.

When this section takes effect.

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.

What to be taught.

Building for school and religious purposes.

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

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.

Who not to be appointed to office in the army.

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.

Officers of colored troops to be deemed officers of volunteers.

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.

Rank, pay, &c. of chaplains. 1864, ch. 53. Vol. xii. p. 46.

Chaplain for colored troops.

Transportation.

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.

Commissions of certain officers not vacated by this act.

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.

Officers of the regular army, who and how may be retired.

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.

Provost-marshal-general's office and bureau.

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.

Officers of volunteers to bear their titles and wear their uniforms.

Volunteer rank of regular officers to be entered upon army register. Proviso.

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.

Provisions as to commutation of officers' subsistence to be continued one year. 1865, ch. 81, § 3. Vol. xiii. p. 497. Proviso.

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.

Authority for solicitor of war department repealed. 1863, ch. 44, § 3. Vol. xii. p. 656.

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.

he is hereby, directed to have prepared, and to report to Congress, at its next session, a code of regulations for the government of the army, and of the militia in actual service, which shall embrace all necessary orders and forms of a general character for the performance of all duties incumbent on officers and men in the military service, including rules for the government of courts-martial. The existing regulations to remain in force until Congress shall have acted on said report.

Repealing clause.

SEC. 38. *And be it further enacted*, That all laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, July 28, 1866.

July 28, 1866.
1853, ch. 59.
Vol. x. p. 155.

CHAP. CCC. — *An Act to revive and extend the Provisions of "An 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 9, 1853, and for other Purposes.*

The act granting right of way and lands to Arkansas and Missouri for railroad revived and extended for ten years.

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.

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.

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 same 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 amount 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,

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.

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 *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.

If twenty miles are not completed in three years, and at least twenty miles each year afterwards, and the whole in ten years, lands then unpatented to 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 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 herein 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 aid 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.

Lands hereby granted to be reserved from entry, pre-emption, &c.

Lands given to Missouri for Cairo and Fulton railroad.

When to be patented to the State;

may be held and used toward paying certain State bonds.

When this act takes effect as relates to the Memphis and Little Rock, and Little Rock and Fort Smith branches of road.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCI. — *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.

Use of weights and measures of the metric system authorized.

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.

Tables of equivalents.

Measures of length;

MEASURES OF LENGTH.

METRIC DENOMINATIONS AND VALUES.		EQUIVALENTS IN DENOMINATIONS IN USE.
Myriameter	10,000 meters.	6 2137 miles.
Kilometer	1,000 meters.	0.62137 miles, or 3280 feet and ten inches.
Hectometer	100 meters.	328 feet and 1 inch.
Dekameter	10 meters.	393.7 inches.
Meter	1 meter.	39.37 inches.
Decimeter	$\frac{1}{10}$ of a meter.	3.937 inches.
Centimeter	$\frac{1}{100}$ of a meter.	0.3937 inches.
Millimeter	$\frac{1}{1000}$ of a meter.	0.0394 inches.

of surface;

MEASURES OF SURFACE.

METRIC DENOMINATIONS AND VALUES.		EQUIVALENTS IN DENOMINATIONS IN USE.
Hectare	10,000 square meters	2.471 acres.
Are	100 square meters	119.6 square yards.
Centare	1 square meter	1550 square inches.

of capacity.

MEASURES OF CAPACITY.

METRIC DENOMINATIONS AND VALUES.			EQUIVALENTS IN DENOMINATIONS IN USE.	
Names.	Number of liters.	Cubic measure.	Dry measure.	Liquid or wine measure.
Kiloliter, or stere	1,000	1 cubic meter . . .	1.308 cubic yards . .	264.17 gallons.
Hectoliter . .	100	$\frac{1}{10}$ of a cubic meter .	2 bushels and 3.35 pecks	26.417 gallons.
Dekaliter . . .	10	10 cubic decimeters .	9.08 quarts	2.6417 gallons.
Liter	1	1 cubic decimeter .	0.908 quarts	1.0567 quarts.
Deciliter . . .	$\frac{1}{10}$	$\frac{1}{10}$ of a cubic decimeter	6.1022 cubic inches . .	0.845 gills.
Centiliter . .	$\frac{1}{100}$	10 cubic centimeters .	0.6102 cubic inches . .	0.338 fluid ounces.
Milliliter . . .	$\frac{1}{1000}$	1 cubic centimeter .	0.061 cubic inches . .	0.27 fluid drams.

Weights

WEIGHTS.

METRIC DENOMINATIONS AND VALUES.			EQUIVALENTS IN DENOMINATIONS IN USE.
Names.	Number of grams.	Weight of what quantity of water at maximum density.	Avoirdupois weight.
Millier or Tonneau .	1,000,000	1 cubic meter	2204.6 pounds.
Quintal	100,000	1 hectoliter	220.46 pounds.
Myriagram	10,000	10 liters	22.046 pounds.
Kilogram or kilo . .	1,000	1 liter	2.2046 pounds.
Hectogram	100	1 deciliter	3.5274 ounces.
Dekagram	10	10 cubic centimeters . . .	0.3527 ounces.
Gram	1	1 cubic centimeter . . .	15.432 grains.
Decigram	$\frac{1}{10}$	$\frac{1}{10}$ of a cubic centimeter .	1.5432 grains.
Centigram	$\frac{1}{100}$	10 cubic millimeters . . .	0.1543 grains.
Milligram	$\frac{1}{1000}$	1 cubic millimeters . . .	0.0154 grains.

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.*

July 28, 1866.
1858, ch. 154, § 17.
Vol. xi. p. 327.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso to the seventeenth 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 collector 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.

Secretary of Treasury may appoint disbursing agent, where there is no collector at place of location of any public work.

APPROVED, July 28, 1866.

CHAP. CCCIII. — *An act authorizing the Payment of the Rewards offered by the President of the United States and the Officers of the War Department, in April and May, 1865, for the Capture of the Assissins of the late President, Abraham Lincoln, and the Secretary of State, Hon. William H. Seward.*

July 28, 1866.

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: —

Payment and division of rewards offered for the capture of the assassins of the President and Secretary of State.

For the capture of Payne: —

For 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
Eli Devore, detective	500
Charles H. Rosch, detective	500
Thomas Sampson, detective	500
William M. Wermerskirch, 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: —

of Atzerott;

To Major E. R. Artman, 213th Pennsylvania Volunteers	$1,250 00
Sergeant Zachariah W. Gemmill, 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 Longacre, 1st Delaware Cavalry	2,878 78
James W. Purdum, citizen	2,878 78
	$25,000 00

For the capture of Booth and Herold: —

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'Bierne	2,000
" H. H. Wells	1,000
" George Cottingham	1,000
" Alexander Lovett	1,000
	$32,000

Sergeant Boston Corbett, 16th New York cavalry; Sergeant Andrew Wendell, 16th New York cavalry; Corporal Charles Zimmer, 16th New York cavalry; Corporal Michael Uniac, 16th New York cavalry; Corporal John Winter, 16th New York cavalry; Corporal Herman Newgarten, 16th New York cavalry; Corporal John Walz, 16th New York cavalry; Corporal Oliver Lonpay, 16th New York cavalry; Corporal Michael Hormsley, 16th New York cavalry; Private John Myers, 16th New York cavalry; Private John Ryan, 16th New York cavalry; Private William Byrne, 16th New York cavalry; Private Phillip Hoyt, 16th New York cavalry; Private Martin Kelley, 16th New York cavalry; Private Henry Putnam, 16th New York cavalry; Private Frank McDaniel, 16th New York cavalry; Private Lewis Savage, 16th New York cavalry; Private Abraham Genay, 16th New York cavalry; Private Emery Parady, 16th New York cavalry; Private David Barker, 16th New York cavalry; Private William McQuade, 16th New York cavalry; Private John Millington, 16th New York cavalry; Private Frederick Deitz, 16th New York cavalry; Private John H. Singer, 16th New York cavalry; Private Carl Steinbrugge, 16th New York cavalry; Private Joseph Zisgen, 16th New York cavalry, one thousand six hundred and fifty-three dollars eighty-four, eight tenth cents each..... 43,000

$75,000 00

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.*

Term of district court to be held at Erie, 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 of the United States, directed by law 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.*

Transportation for disabled soldiers to whom artificial limbs are furnished.

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.

1866, ch. 85. *Ante*, p. 48.

CHAP. CCCVI.—*An Act supplemental to the Act to appropriate Money for the Postal Services.*

Supplemental appropriation for postal service.

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.

See pages 5, 189, 280.

APPROVED, July 28, 1866.

CHAP. CCCVII.—*An Act to protect the Manufacturers of Mineral Waters in the District of Columbia, and for other Purposes.* July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all manufacturers and venders 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.

Manufacturers, &c. of mineral waters, &c. sold in bottles on which are their names or marks, may file in court description of bottles, &c.

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.

The filling such bottles with mineral water, &c. without permission, declared unlawful.

Penalty.

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.* July 28, 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 is hereby, authorized and required to grant and convey to the trustees of colored schools for 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.

Grant of certain lots of land in Washington for the sole use of schools for colored children.

To revert, if &c.

APPROVED, July 28, 1866.

CHAP. CCCIX.—*An Act to extend the Jurisdiction of Commissioners of the Circuit Courts of the United States.* July 28, 1866.

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."

Commissioners of the circuit courts may exercise powers of justice of peace, under act 1790, ch. 29, § 7. Vol. i. p. 134.

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.*

Proceedings in the United States provisional court for Louisiana, to be transferred to the district court, and to be as though originally commenced there.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all suits, causes, prosecutions, 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, prosecutions, 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.

Proviso.

Record in certain suits to remain in district court without further action.

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.

Judgments, &c. of the provisional court to become at once the judgments, &c. of the district or circuit court.

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.

See *Post*, p. 448.

CHAP. CCCXI. — *An Act to remove the Office of Surveyor-General of the States of Iowa and Wisconsin to Plattsmouth, Nebraska.*

Office of surveyor-general of Iowa and Wisconsin to be removed 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 coextensive with the limits of the Territory of Nebraska, and include the State of Iowa, and the same shall constitute a surveying district.

Nebraska and Iowa to constitute a surveying district.

Repealing clause.

SEC. 2. *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.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCXII. — *An Act to prevent Officers of the Navy from being deprived of their regular Promotion on Account of Wounds received in Battle, and for other Purposes.*

Physical disqualification of officers of navy, occasioned by wounds received in line of duty, and not incapacitating them, not to prevent promotion on active list.

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.

1864, ch. 63, § 4. Vol. xiii. p. 53.

Pay of navy officers on retired list and not on duty, &c.

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.

Pay of clerks of navy yards, &c. increased twenty-five per cent.

Disbursing officers of the navy and marine corps to be allowed credits for such losses of property as shall, &c.

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.

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.* December 21, 1865.

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.

Subsistence and clothing for destitute Indians, &c.

1819, ch. 101. Vol. iii. p. 532.

Provisos.

APPROVED, December 21, 1865.

[No. 2.] *A Resolution for increasing the Bond of the Superintendent of public Printing.* January 12, 1866.

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,

Preamble.

See 1867, ch. 59. *Post*, p. 398.

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.

Bond of Superintendent of Public Printing.

APPROVED, January 12, 1866.

[No. 3.] *Joint Resolution in Relation to the Industrial Exposition at Paris, France.* January 15, 1866.

See *Post*, pp. 362, 563.

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:

Preamble.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said invitation is accepted.

Industrial Exposition at Paris, France.

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.

Acts of Secretary of State 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

General agent at New York

may appoint clerks; their pay.

necessary to enable him to fulfil 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.

Secretary of State to make general regulations.

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.

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.

Conditions.

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.* February 10, 1866.

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.

Time for completion of Burlington and Missouri River railroad extended.

1864, ch. 103, § 8. Vol. xiii. p. 98

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. February 10, 1866.

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.

Thanks of Congress to Vice-Admiral Farragut, and those under his command.

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.

President to communicate this resolution

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.* February 10, 1866.

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.

Appropriation for expenses of Joint Committee upon the condition of the so-called confederate states.

APPROVED, February 10, 1866.

February 26, 1866.

[No. 10.] *Joint Resolution to encourage and facilitate Telegraphic Communication between the Western and Eastern Continents.*

Preamble. 1864, ch. 199. Vol. xiii. p. 340.

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 "Variag," 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,

A steam vessel to be detailed to aid in laying the telegraph cable between the western and eastern continents.

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 from the squadron of the Pacific station, or elsewhere, to assist in making surveys and soundings in that part of the Pacific coast, both of America and Asia, where it is proposed to establish said telegraph, in laying the submerged cable, and generally to afford such assistance as may be best calculated to secure the success of the enterprise and to carry out the purposes of the act approved July first, eighteen hundred and sixty-four, entitled "An act to encourage and facilitate telegraphic communication between the eastern and western continents," so far as the same can be afforded without dismantling her, or destroying or impairing her efficiency as a vessel of war.

APPROVED, February 26, 1866.

March 10, 1866.

[No. 11.] *A Resolution providing for Expenses incurred in searching for missing Soldiers of the Army of the United States, and for the further Prosecution of the same.*

Preamble.

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 —

Appropriation to reimburse Miss Clara Barton.

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.

Printing.

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.*

Transfer of Berkeley and Jefferson counties from Virginia to 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.* March 10, 1866.

Stores for the National Home for Soldiers' and Sailors' Orphans.

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.* March 17, 1866.

Preamble.

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 employés of 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,

Help to sufferers by the explosion of the United States arsenal 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 the sum of twenty-five hundred dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, and placed by the Secretary of the Treasury in the hands of Col. Benton, commandant of said arsenal, to be distributed by him 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."* March 22, 1866.

Name of ship "Art Union" changed to "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.* March 24, 1866.

United States vessels, &c. for use of commissioners of quarantine.

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.

[Extended. See *Post*, pp. 569, 570.]

APPROVED, March 24, 1866.

March 31, 1866. [No. 17.] *A Resolution in Relation to the Publication of the Laws of the United States.*

Publication of the Laws of the United States.

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.

Vol. v. p. 799. Vol. ix. p. 564.

Time of delivery.

Price.

APPROVED, March 31, 1866.

April 4, 1866. [No. 18.] *Joint Resolution in Relation to the Public Lands appertaining to the Armory at Springfield.*

Boundaries may be so altered as to allow the laying out, &c. of streets.

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.

Vol. v. p. 719.

APPROVED, April 4, 1866.

April 5, 1866. [No. 19.] *A Resolution for the Restoration of Commanders William Reynolds and Melancton B. Woolsey, United States Navy, to the Active List from the Reserved List.*

Commanders Reynolds and Woolsey restored to the active list in the navy.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States of America 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.

April 12, 1866. [No. 20.] *Joint Resolution giving Construction to the Law in Relation to Bounties payable to Soldiers discharged for Wounds.*

Construction of the words in the bounty act, "or in the line of duty." 1865, ch. 79, § 4. Vol. xiii. p. 488.

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.* April 13, 1866.

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.

Burial of soldiers who died in the service of the United States during the rebellion.

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.* April 17, 1866.

WHEREAS it appears from official correspondence that the authorities of Basleland, a canton in Switzerland, have recently undertaken to pardon a person convicted of murder on the condition that he would emigrate to America, meaning thereby the United States; and there is reason to believe that similar pardons of persons convicted of infamous offences have been granted in other countries: Now, therefore,

Preamble.

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.

Protest against pardons by foreign governments of convicts, on condition of emigration to the United States.

APPROVED, April 17, 1866.

[No. 25.] *A Resolution for the temporary Relief of destitute People in the District of Columbia.* April 17, 1866.

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.

Temporary relief of the destitute population in the District of Columbia.

APPROVED, April 17, 1866.

[No 26.] *Joint Resolution appointing Managers for the National Asylum for Disabled Volunteer Soldiers.* April 21, 1866.

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.

Managers of National Asylum for disabled volunteer soldiers. 1866, ch. 21, § 3. *Ante*, p. 10.

APPROVED, April 21, 1866.

April 21, 1866. [No. 27.] *Joint Resolution expressive of the Thanks of Congress to Major-General Winfield S. Hancock.*

Thanks of Congress to Major-General 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.*

Transfer of appropriations for the Post Office 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.

Proviso.

APPROVED, April 25, 1866.

May 3, 1866. [No. 31.] *A Resolution making Appropriations for the Expenses of collecting the Revenue from Customs.*

Appropriation for 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.

1858, ch. 160, § 1. Vol. xi. p. 337.

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.*

The gratitude of the nation expressed by Congress to the

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

land 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.

officers, soldiers, and seamen of the United States

APPROVED, May 3, 1866.

[No. 34.] *A Resolution extending the Time for the Completion of the Union Pacific Railway, Eastern Division.* May 7, 1866.

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.

Time for completing the eastern division of the Union Pacific Railway extended. 1862, ch. 120. Vol. xii. p. 489. 1865, ch. 216, § 5. Vol. xiii. p. 359

Succeeding sections.

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.

Northern Pacific Railroad.

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.* May 9, 1866.

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.

Crude petroleum, &c. to be exempt from internal tax.

APPROVED, May 9, 1866.

[No. 37.] *Joint Resolution relative to the attempted Assassination of the Emperor of Russia.* May 16, 1866.

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.

Congratulations of Congress that the Emperor of Russia escaped assassination.

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.

President requested to forward copy

APPROVED, May 16, 1866.

May 16, 1866. [No. 38.] *Joint Resolution relative to the Courts and Post Office of New York City.*

Commission to select site for post office and court house in New York city; to make report.

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 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.

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.*

Lumber may be used for fair.

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.

May 21, 1866. [No. 40.] *A Resolution to extend the Time for the Construction of the first Section of the Western Pacific Railroad.*

Time for construction of first section of Western Pacific Railroad extended, upon conditions, &c.

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.

May 26, 1866. [No. 41.] *A Resolution to authorize certain Medals to be distributed to Veteran Soldiers free of Postage.*

Certain medals to veteran soldiers to be 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.

[No. 42.] *Joint Resolution respecting Quarantine and Health Laws.* May 26, 1866.

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.

Secretary of Treasury may make quarantine regulations against cholera in aid of State authorities.

Revenue officers and cutters.

Appropriation. Authority, when to expire.

APPROVED, May 26, 1866.

[No. 43.] *A Resolution providing for the Acceptance of a Collection of Plants tendered to the United States by Frederick Pech.* May 26, 1866.

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 Pech 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.

Collection of plants, tendered by Frederick Pech, to be accepted. Appropriation

APPROVED, May 26, 1866.

[No. 44.] *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.* June 1, 1866.

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.

Board to examine site, near Portland, Maine, for fresh-water basin for iron-clads. Report.

APPROVED, June 1, 1866.

[No. 45.] *Joint Resolution authorizing [the] Postmaster-General to pay additional Salary to Letter-Carriers in San Francisco.* June 6, 1866.

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.

Additional salary to letter-carriers in San Francisco.

APPROVED, June 6, 1866.

[No. 46.] *A Resolution respecting Bounties to Colored Soldiers, and the Pensions, Bounties, and Allowances to their Heirs.* June 15, 1866.

See *Post*, p. 367.

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

Presumption to hold that a colored soldier

was a freeman at the time of enlistment, when nothing to the contrary appears.
1864, ch. 124, § 4. Vol. xiii. p. 129.

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.

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.

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.*

Appropriation for negotiating 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.*

Proposed 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.

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.

Apportionment of representatives.

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.

Certain persons disqualified from holding office.

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.

How disability may be removed.

The validity of the public debt not to be questioned.

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.

Certain debts and obligations not to be assumed or paid.

This article may be enforced by legislation.

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.* June 16, 1866.

Age for admission of cadets to United States Military Academy.

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.

Cadets to be appointed one year in advance of their admission, except, &c.

Pay to commence after admission.

New requirements for admission.

1812, ch. 72. Vol. ii. p. 720.

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.

Mode of appointments. [Repealed. 1867, ch. 170, § 3. *Post*, p. 487.]

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.

Appointments at large.

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.

Proviso.

APPROVED, June 16, 1866.

June 18, 1866.

1864, ch. 240. Vol. xiii. p. 381.

[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."*

Provisions of act 1864, ch. 240, extended to Berkeley and Jefferson counties, West Virginia.

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.*

Appropriation for repair of 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.*

Bounty to be paid to the enlisted men of 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.

1864, ch. 80. Vol. xiii. p. 66.

[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."*

The words "in a Northwestern direction," how to be construed in authorizing the location of the road.

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, on 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 third section of the said act of Congress hereinbefore 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.

Congress assents to the location of the Portage and Superior Railroad Company;

and consents to the selection and application of the lands.

Intention of this resolution.

APPROVED, June 21, 1866.

[No. 55.] *A Resolution for the Restoration of Lieutenant-Commander Richard L. Law, United States Navy, to the Active List from the Reserved List.* June 22, 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 to appoint, Lieutenant-Commander Richard L. Law to the Active List of the Navy, and restore him to his original rank in the grade of lieutenant-commander.

Richard L. Law may be restored to active list of the navy.

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.* June 23, 1866.

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: —

Distribution of surplus copies of American state papers.

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.* June 23, 1866.

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

protection of frontier.

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.

Proviso.

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.*

A swing bridge may be erected upon government piers across Cuyahoga river, 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.*

Buildings may be hired for the temporary use of 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.

See *Ante*, p. 347.

Post, p. 563.

[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.*

Appropriation for participation in the Universal Exhibition at Paris.

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: —

Furniture and fixtures.

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.

Additional accommodations.

Secondly. To provide additional accommodations in the park, twenty-five thousand dollars.

Principal agent.

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. Limit to his time of service.

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. Office rent at New York, &c. *Ante*, p. 347.

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. Expenses at Havre and Paris

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. Expenses of commissioners. Additional commissioners. Who shall not be commissioners.

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. The people of the States invited to take part in the exhibition.

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 provide[d] for are made by them respectively. Detailed statement to be made of expenditures hereby authorized.

APPROVED, July 5, 1866.

[No. 67.] *Joint Resolution declaratory of the Law of Bounty.* July 13, 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. Enlisted men detailed for special duty not thereby to be deprived of bounty.

APPROVED, July 13, 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.*

Certain clothing, camp equipage, bedding, &c. to be placed at the disposal of the authorities of Portland, Maine.

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,

Tennessee declared restored to the Union.

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.

See 1867, ch. 145, § 3. *Post*, p. 422.

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,

Union soldiers, sailors, and marines held as prisoners in the rebel States, to be paid commutation of rations at cost prices.

Proviso.

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.* July 25, 1866.

Preamble.

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,

The stock of the United States in the Dismal Swamp Canal to be sold, and how.

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.

Proviso.

APPROVED, July 25, 1866.

[No. 76.] *Joint Resolution authorizing the Commissioner of Public Buildings to employ three additional Watchmen in the Smithsonian Grounds.* July 25, 1866.

Additional watchmen for 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.* July 25, 1866.

Law library of James Louis Petigru to be bought for the library of Congress.

Appropriation.

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.* July 26, 1866.

Gold medals to be presented, as testimonials of national gratitude for the rescue of the passengers, officers, and men of the wrecked steamship San Francisco.

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 Antar[c]tic, 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.

Reward of $7500 to each master of the vessels participating in the rescue.

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-

vivors 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.

Reward of $500 to each mate, and $100 to each man and boy of said vessels.

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, 1856. [No. 80.] *A Resolution to authorize the Use of certain Plates of the United States Exploring Expedition by the Navy Department.*

The use of certain engraved plates of the United States Exploring Expedition to be granted to 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.*

Cots and bedding for five hundred persons granted to the Illinois Soldiers' College, &c. for use of free students therein, disabled by the war.

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.*

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.

[No. 83.] *A Resolution to provide for Codifying the Laws relating to the Customs.* July 26, 1866.

See *Post*, p. 567.

A general customs revenue law to be prepared and submitted to Congress.

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 exce[e]d ten thousand dollars.

Proviso.

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.* July 26, 1866.

Claim of Massachusetts for expenses for coast defence to be examined.

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.* July 26, 1866.

Right of way granted to the Union Pacific Railroad Company and its branches through the military reserves.

Grant for depot and other purposes.

Such portions of these reserves as are not needed for military purposes to be restored to public domain.

Usefulness for military purposes not to be interfered with.

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 miltary 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.* July 26, 1866.

Ante, p. 357.

The words "at the time of his enlistment," at

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

end of section one, stricken out.

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.

Agent or attorney making claim for bounty must file with each claim his oath that, &c.

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

Fees of agents.

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 incident to the collection of said claims, except the expense of the necessary affidavits and notarial or other acknowledgments,

Penalty for charging more than legal fees.

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.

If payments are made by check, &c. claimant how to establish his identity.

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.

Soldiers not to sell or assign, &c. discharges, &c.

Such sales, &c. void.

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, barters, 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.

July 26, 1866.

[No. 87.] *Joint Resolution for the Relief of certain Officers of the Army.*

Certain commissioned officers actually entering on duty, but not mustered in within &c. to have full pay from what date.

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.

Heirs, &c. of such officers to receive arrears of pay and pensions.

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.

[No. 90.] *A Resolution to change the Place of holding the Terms of the Circuit Court for the District of West Virginia.* July 27, 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.

Circuit court for West Virginia to be held at Parkersburg, and not at Lewisburg.

APPROVED, July 27, 1866.

[No. 91.] *A Resolution to provide for the Publication of the Official History of the Rebellion.* 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.

Provision for printing official reports of the armies of the United States repealed. Vol. xiii. p. 406.

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.

Certain official documents to be arranged and prepared for publication.

Plan and estimates of cost.

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 *by* [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.

Compensation of person doing the service.

Proviso.

APPROVED, July 27, 1866.

[No. 92.] *A Resolution for the temporary Relief of the Sufferers by the late Fire in Portland, in the State of Maine.* 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.

Collection of certain internal revenue taxes in Portland, Maine, may be suspended.

Proviso.

APPROVED, July 27, 1866.

[No. 93.] *Joint Resolution to enable the Secretary of the Treasury to furnish to each State one Set of the Standard Weights and Measures of the Metric System.* July 27, 1866.

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 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.

A set of standard weights and measures of metric system to be furnished each State.

APPROVED, July 27, 1866.

July 28, 1866. [No. 96.] *Joint Resolution in Relation to the Use of the Soldiers' and Sailors' Orphan Fair Building, in Washington.*

Preamble.

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,

Certain citizens may be authorized to use a certain building in Washington for public meetings.

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.

July 28, 1866. [No. 97.] *Joint Resolution for the Relief of certain Chippewa, Ottawa, and Pottawatomie Indians.*

The payment of $39,000 to be made to certain Michigan Indians. Vol. ix. p. 853.

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, authorized and directed to pay to the Chippewa, Ottawa, and Pottawatomie Indians of Michigan, in pursuance of an agreement and compromise made with the Pottawatomie nation of Indians so named and designated by the treaty of eighteen hundred and forty-six, with the United States, the sum of thirty-nine thousand dollars, in full of all claims in favor of said Michigan Indians either against the United States or said nation of Indians, past, present, or future, arising out of any treaty made with them or any band or confederation thereof, and the annuity now paid to them is to be restored, and paid to said nation for the future. Said sum of thirty-nine thousand dollars is to be paid out of funds of said Indians, by the United States now held in trust for said nation, drawing interest at the rate of five per cent, which amount is hereby appropriated, said payment to be made per capita direct to heads of families, adults, and guardians of minors, as is now required by law in reference to annuities, by the proper agent of the government.

Annuity now paid to be restored.

Payment to be made from what funds and how.

APPROVED, July 28, 1866.

July 28, 1866. [No. 98.] *Joint Resolution authorizing a Contract with Vinnie Ream for a Statue of Abraham Lincoln.*

A contract may be made with Miss Vinnie Ream for statue of President Lincoln.

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 hereby is, authorized and directed to contract with Miss Vinnie Ream for a life-size model and statue of the late President Abraham Lincoln, to be executed by her at a price not exceeding ten thousand dollars; one half payable on completion of the model in plaster, and the remaining half on completion of the statue in marble to his acceptance.

APPROVED, July 28, 1866.

July 28, 1866. [No. 99.] *Joint Resolution to extend the Provisions of the Act of July fourth, eighteen hundred and sixty-four, limiting the Jurisdiction of the Court of Claims to the loyal Citizens of Tennessee.*

1864, ch. 240. Vol. xiii. p. 381.

Provisions of act 1864, ch. 240, extended to loyal

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 the fourth of July, eighteen hundred and sixty-four, entitled "An act

to limit the jurisdiction of the court of claims," is hereby extended to the loyal citizens of the State of Tennessee.

citizens 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.*

July 28, 1866.

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.

The adjutant-general of New Jersey may send free by mail certificates of thanks awarded to the soldiers of that State.

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.*

July 28, 1866.

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.

The Territory of Colorado to be settled with for the services of its militia forces.

Amount found due to be reported to Congress.

APPROVED, July 28, 1866.

[No. 102.] *Joint Resolution to prevent the further Enforcement of the Joint Resolution, (No. 77,) 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.*

July 28, 1866.
Vol. xiii. p. 417.

WHEREAS 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,

Preamble.

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.

Special income tax not to be further enforced against certain officers and soldiers.

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.* Dec. 20, 1866.

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, viz: Deficiency and other appropriations for 1867.

Office of Superintendent of Public Printing. — For public printing, eighty thousand dollars. Public printing.

For paper for public printing, four hundred and fifty thousand dollars. Paper for public printing.

Bureau of Statistics. — For contingent expenses, viz: Laborers, office furniture, carpets, files, and miscellaneous items, six thousand dollars. Bureau of Statistics.

Southeast Executive Building, including the Extension. — For fuel, light, and labor, twenty-three thousand dollars. Southeast Executive Building and Extension.

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. Office of Sixth Auditor. 1864, ch. 87, § 13. Vol. xiii. p. 79.

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. Special objects.

For repairs and preservation of public buildings, twenty-five thousand dollars. Public grounds, and buildings.

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. Heating apparatus.

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. Supervising and local steamboat inspectors. 1852, ch. 106. Vol. x. p. 61.

For a deficiency in flagging the furnace room, and repairs about the stable at the executive mansion, one thousand five hundred dollars.

Metropolitan Police. 1866, ch. 215. *Ante*, p. 212.

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.

Compensation increased, and how to be borne.

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.

Special tax authorized.

Department of the Interior. Engineer Office.

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.

Washington Aqueduct.

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.

Watchmen in public buildings. 1866, ch. 296, § 5. *Ante*, p. 321.

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.

State Department. Foreign intercourse.

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.

Dec. 26, 1866.

1864, ch. 213. Vol. xiii. p. 355.

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."*

Deficiency in former land grant to Oregon, caused by lands sold or reserved, &c. made up.

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

Lands, how to be selected.

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. VI. — *An Act to regulate the elective Franchise in the District of Columbia.* January 8, 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, 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 excepting 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 entitled to vote at any election in said District, without any distinction on account of color or race.

Who to be deemed electors and entitled to vote in the District of Columbia.

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 conviction, if such act was done knowingly, to a fine not exceeding five thousand dollars, or to imprisonment for a term not exceeding one year in the jail of said District, or to both.

Penalty for wilfully refusing to receive, or rejecting the ballot of one entitled to vote;

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 franchise, he or they shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not to exceed one thousand dollars, or be imprisoned in the jail in said District for a period not to exceed thirty days, or both, at the discretion of the court.

for wilfully disturbing, &c. an elector in the exercise of his franchise.

SEC. 4. *And be it further enacted,* That it shall be the duty of the several 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.

Criminal courts in the District to charge Grand Jury.

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 exceeding 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 newspaper printed in said District.

Voting lists to be prepared in Washington and Georgetown;

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 voters thus prepared in one or more public places in said cities, respectively, at least ten days prior to said annual election.

to be posted in public places ten days before 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 during the election of all officers, and no vote shall be received unless delivered 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.

Check-list to be used at all elections, and votes received only, &c.

SEC. 8. *And be it further enacted,* That it is hereby declared unlawful

Penalty for offering, &c. money, &c. to any person to influence his vote;

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.

for accepting money, &c. to influence one's vote.

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.

Repealing clause.

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 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.

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.*

Final report of commissioners upon claims of loyal persons for

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-eight, 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.

services of colored volunteers or drafted men, to be made to Congress.
1866, ch. 296. § 62.
Ante, p. 321.
No money to be paid until report is approved by Congress.
1864, ch. 13, § 24. Vol. xiii. p. 11. Vol. xv. p. 29.

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.*

Jan. 21, 1867.
1862, ch. 195, § 13. Vol. xii. p. 592.

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.

Authority of the President to proclaim amnesty and pardon, 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.*

Jan. 22, 1867.

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.

Net proceeds of Internal Revenue of Arizona, Colorado, Dakota, Idaho, Montana, Nebraska, and Washington Territories, for three years, devoted to the erection of penitentiary buildings.

Limit of amount to be expended in the several Territories.

APPROVED, January 22, 1867.

Jan. 22, 1867.

CHAP. X. — *An Act to fix the Times for the regular Meetings of Congress.*

Additional meeting of Congress provided for.

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.

Mileage.

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.

Jan. 22, 1867.

CHAP. XI. — *An Act in Regard to the Compensation of Route Agents in the Post-Office Department.*

Pay of route agents of 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.

Jan. 22, 1867.

CHAP. XII. — *An Act to incorporate the National Safe Deposit Company of Washington, in the District of Columbia.*

National Safe Deposit Company of Washington incorporated.

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

Seal and powers.

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.

Capital stock.

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.

Subscriptions to capital stock.

SEC. 3. *And be it further enacted*, That the corporators heretofore 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.

Choice and number of directors.

President and Vice-President.

Vacancies.

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.

Powers, duties, and privileges of the corporation.

Capital, how invested.

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.

Dividends; not to be made if capital is diminished, until, &c.

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.

By-laws.

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.

Corporation not to circulate any bill of its own as currency; nor pay interest on deposits.

Operations 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

The elective franchise in the Territories not to be denied on account of color, race, &c.

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Samuel P. Brown, Francis Mattingly, Noble D. Larner, Marshall Brown, and Joseph L. Pearson, and their associates and assigns be, and they are hereby, created a body corporate under the name of the "Washington County Horse Railroad Company," with authority to construct and lay down a double or single track railway, with the necessary switches and turnouts, in the county of

Route.

Washington, in the District of Columbia, as follows: Commencing at Boundary Street, at its intersection with Fourteenth Street, and along the Fourteenth Street road in a northerly direction, to a point where said road intersects a new road recently opened by the levy court, and along said new road in an easterly direction, to the Seventh Street turnpike, and

Proviso.

along said turnpike in a southerly direction to Boundary Street: *Provided*, That the consent of the Board of Directors of the Seventh Street Turnpike Company be first obtained for the use of their road, with the right

Rate of fare.

to run public carriages thereon, and receiving therefor a rate of fare not exceeding ten cents a passenger for any distance on said road.

Railroad to be deemed real estate.
Taxation.

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.

Mode of construction.

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

Width and gauge of track.

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.

Ordinary travel not to be interfered with.

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.

This act may be altered, &c.

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.

Corporation not to issue notes, &c. as currency.

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.

Capital stock, shares, and how transferable.

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.

Cars to be first-class;
to be run as often as, &c.

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.

Offices, stables, &c.

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.

Articles of value left in the cars.

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 unclaimed goods, which book shall be open to the inspection of the public at all reasonable hours of business.

Freight for the use of the United States to be carried over the railway.

SEC. 11. *And be it further enacted*, That said corporation shall, on demand of the President of the United States, Secretary of War, or Secretary 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 causing such service to be done shall pay a reasonable compensation therefor.

Subscription to the capital stock.

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 majority of them, or if any refuse or neglect to act, then a majority of the remainder, 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 subscribers 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 centum 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 company 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 pub[l]ic proclamation 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 centum, 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 directors, of which public notice shall be given for five days in two public newspapers published daily in the city of Washington, or by written personal 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.

Proviso.

Meeting for choice of directors.

Votes and proxies.

Directors, number and term of office of.

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, seven 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 directors, by the death, resignation, or otherwise, of any director, the vacancy occasioned thereby shall be filled by the remaining directors

Treasurer; bonds.

Vacancies.

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, &c. construction, &c. of road.

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.*

First Congregational Society of Washington incorporated.

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.

Corporate powers.

Exemption from taxes.

Limit to amount of value of real estate.

First meeting of Society.

SEC. 2. *And be it further enacted*, That the first meeting of said society shall be holden 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

Notice.

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. By-laws.

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. Powers of corporation to vest in board of trustees. Number and term of office of trustees.

APPROVED, January 31, 1867.

CHAP. XXVI. — *An Act to punish certain Crimes in Relation to the Public Securities and Currency, and for other Purposes.* Feb. 5, 1867.

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. Penalty for buying, selling, &c. forged bonds, notes, &c. with intent that they shall be passed or used as genuine.

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 heretofore 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. The making or using cards, circulars, &c. in the similitude of any United States security declared unlawful. Penalty, how recovered and to whose use.

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. The printing, &c. of any business card or notice, &c. on any United States security, made unlawful. Penalty, how recovered, and to whose use.

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 making, &c. impressions upon any material by any tool, &c. used, &c. in

printing, &c. or in making other tools, &c. to be used in printing, &c. any security, &c. to be issued by or for the United States.

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.

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 to be issued by or for the United States;

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.

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.;

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, embezzle, 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, embezzle, 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, embezzle, 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 hereinbefore 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.

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

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.

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.

CHAP. XXVII. — *An Act amendatory of "An Act to amend an Act entitled 'An Act relating to Habeas Corpus, and regulating judicial Proceedings in certain Cases,'" approved May eleventh, eighteen hundred and sixty-six.*

Feb. 5, 1867.

1866, ch. 80. *Ante*, p. 46.

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 been 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.

When in any suit begun in a State court and removed to the circuit court of the United States, the defendant is in actual custody under the State process, the clerk of the circuit court shall issue a habeas corpus cum causa.

1863, ch. 81. Vol. xii. p. 755.

Proceedings thereon.

The marshal to take the body; to file duplicate copy with the clerk of the State court.

Attachments, bail, &c. to continue in full force.

APPROVED, February 5, 1867.

CHAP. XXVIII. — *An Act to amend "An Act to establish the judicial Courts of the United States," approved September twenty-fourth, seventeen hundred and eighty-nine.*

Feb. 5, 1867.

1789, ch. 20. Vol. i. p. 73. See *Post*, p. 545.

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

The United States courts and judges, in addition to present authority, may grant writs of habeas corpus in certain cases.

Proceedings in applications for the writ.

The writ to be awarded forthwith, unless, &c.

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.

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.

Petitioner may on oath deny facts set forth in the return and allege others.

Return may be amended, &c.

Court or 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.

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-

Writs of error from the Supreme Court of the United States, for what causes may be issued.

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.

Citation, how signed

Effect of writ.

Proceedings upon reversal.

Supreme Court may award execution, or remand to the lower court.

This act not to apply to certain cases.

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.*

Feb. 5, 1867.

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-recited act, to construct a lateral branch from the said Baltimore and Potomac Railroad to the District of Columbia: Therefore,

Preamble.

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.

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.

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

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

Jury.

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

Notice.

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

Proceedings as to warrant and jury;

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

as to estimating and valuation of damages, &c.

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

Proviso.

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.

Crossing or intersecting streets or ways.

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

Wagon ways across railroad.

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

Lots, &c. owned by the United States, not to be entered upon or used.

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

Road to enter Washington and pass where, &c.

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 and grade of road in Washington.

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.

Rates for tolls and transportation.
Proviso.

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.

The company may make special contract for carrying the mail, and transporting persons or property for the United States.

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.

Passenger fares within the District.

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.

Lateral road to be commenced in two years and completed in four.

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.

Congress may grant to other corporations privileges like those in this act;

may authorize additional railroads or roads;

may prescribe rules as to speed of cars, &c. and the security of persons and property.

No rights given beyond the District.

Act may be altered or repealed.

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.*

Feb. 5, 1867.

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:

Property of a head of a family or householder in the District of Columbia exempt from levy sale, &c.
Proviso.

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

Schedule of property exempt.

Property exempt.

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 provisions, for the debtor and family.

No deed of trust, sale, &c. of exempted articles, valid unless signed by the wife of the debtor, if married, &c.

Exemption not good against claims of servants for wages, &c. except, &c.

Approved, February 5, 1867.

Feb. 5, 1867.

See Vol. xv. p. 27.

CHAP. XXXI. — *An Act to punish illegal Voting in the District of Columbia, and for other Purposes.*

Penalty for knowingly voting, or offering to vote, in the District of Columbia, when not qualified; or for procuring registration as a voter;

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.

for knowingly voting or attempting to vote in wrong ward or precinct, or more than once at same election, or voting double.

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.

Judges of elections in Washington and Georgetown; their number, appointment, term of office, &c.

Sec. 3. *And be it further enacted*, That there shall be five judges of elections within and for the city of Washington, and three within and for the city of Georgetown, the same to be appointed by the supreme court of the District of Columbia, who shall hold their offices for two years and until their successors shall be appointed and qualified, and whose duty it shall be, prior to each election, to prepare a list of the persons qualified to vote in the several wards of said cities in any election; and said judges shall be in open session in their respective cities, to receive evidence of the qualifications of persons claiming the right to vote in any election therein, and for correcting said lists, on two days, not exceeding five days prior to each election for the choice of city officers, giving prior notice of the time and place of each session in some newspaper.

Voting lists.

Sessions for correcting the lists.

Voting lists to be posted in public places at least ten days before election.

Sec. 4. *And be it further enacted*, That prior to said election the said judges in the respective cities shall post up a list of voters thus prepared in one or more public places in said cities, and at least ten days prior thereto.

Repealing clause.

Sec. 5. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved, February 5, 1867.

CHAP. XXXII. — *An Act to provide for the Payment of Pensions.* Feb. 5, 1867.

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.

Agencies for payment of pensions may be established.

Pension agents, their appointment, term of office, bond.

Limit of number of pension agencies in any State or Territory.

Official term of present pension agents.

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.* Feb. 8, 1867.

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 from time to time see fit to deposit, not exceeding, with the original bequest, the sum of one million dollars.

Residuary legacy of James Smithson may be received on same terms as the original bequest.

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.

Interest of such legacy, how to be applied.

1846, ch. 178. Vol. ix. p. 102

APPROVED, February 8, 1867.

CHAP. XXXVI. — *An Act for the Admission of the State of Nebraska into the Union.* Feb. 9, 1867

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 —

Preamble. 1864, ch. 59. vol. xiii. p. 47

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

of the United States of America.

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.

The State to be entitled to the privileges and subject to the conditions of the enabling act. 1864, ch. 59. Vol. xiii. p. 47.

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.

Fundamental conditions of this act. Elective franchise not to be denied, &c.

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.

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.

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: Deficiency appropriation.

For miscellaneous items, forty thousand dollars. Miscellaneous.

For folding documents, twenty-seven thousand five hundred dollars. Folding documents.

For fuel and lights, including pay of engineers, firemen, and laborers, repairs and materials, seven thousand dollars. Fuel and lights.

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. Pay and allowances of quartermaster-sergeant of the battalion of engineers.

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. Appropriations for Post-Office Department, for year ending June 30, 1868. 1836, ch. 270. Vol. v. p. 80.

For transportation of the mails (inland), eight million six hundred thousand dollars. Transportation of mails.

For transportation of the mails (foreign), six hundred and twenty thousand dollars.

For ship, steamboat, and way letters, eight thousand dollars. Ship, steamboat, and way letters.

For compensation to postmasters, four million two hundred and fifty thousand dollars. Compensation to postmasters.

For clerks for post-offices, two million dollars. Clerks.

For payment to letter-carriers, six hundred and forty thousand dollars. Letter-carriers.

For wrapping paper, eighty thousand dollars. Wrapping paper and twine.

For twine, twenty thousand dollars.

For letter balances, four thousand dollars. Letter balances.

For compensation to blank agents and assistants, eight thousand dollars. Blank agents.

For office furniture, three thousand dollars. Office furniture.

For advertising, eighty thousand dollars. Advertising.

For postage stamps and stamped envelopes, two hundred and seventy-five thousand dollars. Postage stamps and stamped envelopes.

For mail depredations and special agents, and expenses of negotiating postal conventions, one hundred and five thousand dollars. Depredations, special agents, and postal conventions.

For mail bags and mail-bag catchers, one hundred thousand dollars. Mail bags.

For mail locks, keys, and stamps, thirty thousand dollars. Locks, keys, and stamps.

For payment of balances due to foreign countries, three hundred and sixty thousand dollars. Foreign balances.

For miscellaneous payments, four hundred thousand dollars. Miscellaneous.

Further appropriation for the Post-Office Department.

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:

Service between the United States and Brazil;

For the mail steamship service between the United States and Brazil, one hundred and fifty thousand dollars.

San Francisco, Japan, and China.

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 steamship[s] 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 steam ship service, carrying the United States mails, between the port in Japan used by the main line of steamships and the port of Shanghae 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.

Steamships need not touch at Honolulu. 1865, ch. 37. Vol. xiii. p. 430.

Branch line from Japan to Shanghae.

Service to be by what vessels.

Overland mail and marine mail transportation.

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.

Transfer of clerks to office of auditor of treasury for the Post-Office Department.

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.

Appropriation.

APPROVED, February 18, 1867.

Feb. 18, 1867.

CHAP. XLII. — *An Act supplementary to an Act to prevent Smuggling and for other Purposes, approved July eighteen, eighteen hundred and sixty-six.*

1866, ch. 201. *Ante*, p. 178.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of Congress approved July eighteen, eighteen hundred and sixty-six, entitled "An act to prevent smuggling and for other purposes," shall be so construed as not to affect any right of suit or prosecution which may have accrued under any prior acts of Congress repealed or supplied by said act, previous to July eighteen, eighteen hundred and sixty-six; and all such suits or prosecutions as have been, or shall be, commenced under such prior acts, for acts committed previous to July eighteen, eighteen hundred and sixty-six, shall be tried and disposed of, and judgment or decree executed as if said act of July eighteen, eighteen hundred and sixty-six, had not been passed, anything therein contained to the contrary notwithstanding.

Provisions of act to prevent smuggling, not to affect any right or suit pending at the time of its passage.

Suits, &c. may be tried and disposed of.

Coasting vessels between ports on Lake Michigan laden, &c. may unlade without previous permit. 1866, ch. 201, § 26. *Ante*, p. 184.

SEC. 2. *And be it further enacted*, That section twenty-six of the act aforesaid be so amended that the Secretary of the Treasury be, and he is hereby, authorized in his discretion to make such regulations as shall enable vessels engaged in the coasting trade between ports and places upon Lake Michigan exclusively and laden with American productions and free merchandise only, to unlade their cargoes without previously obtaining a permit to unlade.

March substituted for July.

SEC. 3. *And be it further enacted*, That section twenty-five of said act be hereby amended by inserting the word "March" in the place of "July," in said section.

APPROVED, February 18, 1867.

CHAP. XLIII. — *An Act amendatory of the several Acts respecting Copyrights.* Feb. 18, 1867.

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.

Proprietors of copyrighted articles failing to deliver a copy within a month after publication to library of Congress, subject to a penalty of $25.

Penalty, how to be collected.

SEC. 2. *And be it further enacted*, That every such pro*pro*prietor may transmit any book, pamp[h]let, 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.

Such copyrighted articles may be sent to the library free of postage, if marked, &c.

Duty of postmasters.

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.* Feb. 18, 1867.

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.

Prize money to be paid to certain officers and men of the signal corps of the army.

APPROVED, February 18, 1867.

CHAP. XLV. — *An Act to authorize the Purchase of certain Lots of Ground adjoining the Allegheny Arsenal, at Pittsburg, Pennsylvania.* Feb. 18, 1867.

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. Franciscus Hospital Society to sell to the United States certain lots of ground situate in the boro[ugh] 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.

The Secretary of War may purchase certain lots of ground adjoining the Allegheny arsenal.

Appropriation.

Title to be good.

APPROVED, February 18, 1867.

Feb. 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.*

The Secretary of the Navy may accept the title to League island in the Delaware river, &c. when made complete and indefeasible, and recommended by a board of officers.

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.

Island and appurtenances to be held for naval purposes exclusively.

When League island is selected, the navy yard at Philadelphia to be dispensed with, &c.

APPROVED, February 18, 1867.

Feb. 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.*

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.

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 Mullikin, 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, now held by said trustees in trust for said church, and lately used, in part, as a burial-ground, free and discharged of and from any trust, express or implied, now existing, or which may hereafter, before the execution of a conveyance of said square, exist, in said trustees, or their successors, whether by virtue of the deed originally conveying the same to the trustees of said church, or by virtue of any deed or deeds, certificate or certificates, or any writing or writings whatever, by said trustees or their predecessors, conveying any lot or lots, site or sites, in the part of said square used as a burial-ground as aforesaid, and free and discharged of and from any and every right, title, and interest, legal and equitable, now existing in any lot-holder in said burial-ground, under any contract with said trustees or their predecessors: *Provided, however*, That the said trustees or their successors shall, out of the proceeds of such sale, remove or cause to be removed the dead that are now interred in said ground, and give them decent sepulture in some public cemetery outside the corporate limits of the city of Washington.

The dead interred in that ground to be removed and placed in some public cemetery, &c.

APPROVED, February 18, 1867.

CHAP. XLVIII. — *An Act concerning the Fire Department of Washington City.* Feb. 18, 1867.

See *Post*, p. 544.

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.

The city of Washington may use certain buildings and engine-houses for the purposes of the fire department during the pleasure of Congress.

Proviso.

APPROVED, February 18, 1867.

CHAP. 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.* Feb. 21, 1867.

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.

Before Congress meets, the clerk of the next preceding House of Representatives to make a roll, &c.

Names of what members to be placed on the roll.

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.

In case of the disability of the clerk, the sergeant-at-arms to do the same duty.

If the clerk and sergeant-at-arms are unable, door-keeper to do this duty.

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.]

CHAP. 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."* Feb. 21, 1867.

1864, ch. 240. Vol. xiii. p. 381.

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 in insurrection, or

&c. not to be entertained by the court of claims. Vol. xii. p. 1266.

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.

Tennessee and West Virginia excepted. *Ante*, p. 370. *Ante*, p. 360.

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.*

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-eight:

Invalid.

For invalid pensions under various acts, ten million dollars.

Revolutionary pension agents, &c. 1818, ch. 19. 1828, ch. 53. 1832, ch. 126. 1836, ch. 362. 1838, ch. 189. 1843, ch. 102. 1844, ch. 102. 1848, ch. 8, 108, 120. 1853, ch. 41. 1858, ch. 85. 1862, ch. 166.

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-two; July fourth, eighteen hundred and thirty-six; July seventh, eighteen hundred and thirty-eight; March third, eighteen hundred and forty-three; June seventeenth, eighteen hundred and forty-four; February second, July twenty-first, and July twenty-ninth, eighteen hundred and forty-eight; February third, eighteen hundred and fifty-three; June third, eighteen hundred and fifty-eight; and July fourteenth, eighteen hundred and sixty-two, with its supplementary acts, and for compensation to pension agents and expenses of agencies, twenty-three million dollars.

Navy pensions. 1848, ch. 155. 1862, ch. 166.

For navy pensions to widows, children, mothers, fathers, brothers, and sisters, as provided for by acts of August *eighteenth* [eleventh], eighteen hundred and forty-eight, and July fourteenth, eighteen hundred and sixty-two, with its supplementary acts, two hundred and eighty thousand dollars, 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.*

The Senate to elect a person to take charge of the government printing office.

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.

The person elected to be deemed an officer of the Senate,

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. and how designated. His duties.

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. Office of superintendent of public printing abolished. Salary.

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 hereby repealed. When act takes effect. Repealing clause.

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.* Feb. 22, 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 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. Circuit court for the district of Rhode Island, where and when to be held. Proviso.

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 manner, and with the same effect as if the said court had been holden on the days and at the places heretofore directed by law. Provision for pending process.

SEC. 3. *And be it further enacted*, That all writs, suits, actions, or recognizances, 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. Same subject.

APPROVED, February 22, 1867.

CHAP. LXI. — *An Act to establish and to protect National Cemeteries.* Feb. 22, 1867.

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. National cemeteries to be enclosed. Graves to be marked. Register to be kept.

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.

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.

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. any shrub, &c. in any national cemetery.
When to be prosecuted for.

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.

Superintendent may arrest persons committing such acts, and take them before certain magistrates, &c.

The Secretary of War may purchase or take any real estate necessary for national cemeteries.

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 purposes of this act.

Proceedings where real estate is entered upon and appropriated.

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.

Fee simple of such estate, upon payment, &c. of appraised

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 appraisement 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 appraisement 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 appraisement 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.

value, to be vested in the United States.

Jurisdiction exclusive, &c.

Owner to be paid the appraised value.

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.

Appropriation.

APPROVED, February 22, 1867.

CHAP. LXII. — *An Act to amend an Act entitled "An Act to incorporate the National Soldiers' and Sailors' Orphan Home," approved July twenty-fifth, eighteen hundred and sixty-six.*

Feb. 22, 1867.

1866, ch. 249. *Ante*, p. 247.

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.

Board of trustees of National Soldiers' and Sailors' Orphan Home.
Number.
Quorum.
Names.
Powers.

Vacancies.

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.

Board of lady managers.
Election.
Powers, by-laws, &c.
Vacancies.
Term of office.

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.

Parents, &c. may withdraw children.
Minors over sixteen to be discharged on their written request.

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.

Repealing clause.

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.*

Feb. 22, 1867.

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

Civil jurisdiction of justices

of the peace in the District of Columbia.

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.

Rules of practice, forms of pleadings and trials.

Bill of fees and costs for such justices and for constables.

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.

Execution not to be stayed in certain cases;

when to issue in such cases;

to be stayed in other cases, and for how long, upon security given for debt, costs, &c.

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.

Justices may issue writs returnable before themselves.

Cause may be removed to nearest justice on affidavit, &c.

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.

Persons not to be fined, &c. for disorderly conduct, unless, &c.

Officers punishable for wanton severity in making arrests.

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.

Defendants to have time to make defence.

Bail.

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.

Non-residents not to commence suits without first giving security for costs.

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.

Persons arrested on a warrant for assault, &c. to be taken before the justice, and may plead guilty, and pay fine and 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.

Execution may issue for fine and costs.

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.

Repeal of inconsistent laws.

When act to take effect.

APPROVED, February 22, 1867.

CHAP. LXIV. — *An Act to amend the Law of the District of Columbia in Relation to Judicial Proceedings therein.*

Feb. 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.

Appeals from a judgment of a justice of the peace not to be allowed unless, &c.;

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.

when allowed, original papers to be filed in the office of clerk of the supreme court of the District.

Clerk to docket the cause when, &c. and to issue a summons to the appellee.

Subsequent proceedings. 1823, ch. 24. Vol. iii. p. 743.

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.

Proceedings if appellant fails to prosecute his appeal.

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.

Execution of the judgments of the supreme court of the District not to be stayed, &c. except, &c.

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.

Set-off of mutual debts.

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 *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.

Form of plea of set-off.

Judgment to be for balance found due.

Mutual judgments may be set off, and execution issue for the balance.

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.

Publication may be substituted for personal service of process, when, &c.

Publication not to be substituted for personal service until the issue of a summons and return thereon.

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:

Form of order of publication.

"In the Supreme Court of the District of Columbia, the —— day of ——, 18—.

A. B., plaintiff, v. C. D., defendant. } (At law,) (In equity,) No —.

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."

Sales in cases where publication is substituted for personal service.

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.

Proceedings to enforce a lien. Decree in such cases.

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 adjudge that the plaintiff recover his demand against the defendant, and that he may have execution thereof as at law.

Process how served in actions against foreign corporations.

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.

Right of landlord to seize on the personal chattels of tenant for rent in arrear abolished. Tacit lien given; when to commence, and how long to continue; how may be enforced.

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.

Form of declaration in replevin.

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 eloigned, that 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, —

Plaintiff to file an affidavit with the declaration. Affidavit to state what.

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.

Plaintiff in replevin suits to give security to abide by, &c. the judgment.

Practice in replevin cases.

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.

Appearance and plea of defendant.

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.

Plaintiff's damages to be ascertained, when and how.

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 eloigned 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.

Measure of damages.

Judgment.

Form of judgment if for defendant.

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.

Damages when the defendant has eloigned the things sued for.

Judgment in such cases.

SEC. 18. *And be it further enacted*, That if the defendant has eloigned 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.

Judgment by default in suits on open accounts verified by affidavit, &c.

Practice as to such affidavits.

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.

Proceedings against two or more joint or several obligors, promisors, &c.

SEC. 20. *And be it further enacted*, That where money is payable by two or more persons jointly or severally, as by joint obligors, covenantors, 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 therein continues, be pleaded in bar of another action against another or others of said parties.

Effect of sales under decrees in equity upon the right, &c. of former owner;

and of decree where registered.

Particular forms of conveyance.

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.

Plaintiff not to recover costs when amount of verdict is less than, &c.

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.

Repeal of inconsistent laws.

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. LXV. — *An Act providing for the Punishment of certain Crimes therein named in the District of Columbia, and for other Purposes.*

Penalty for larceny of money or goods and chattels of the value of $35, or more;

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 imprisoned in the penitentiary, and kept at hard labor not more than three years, nor less than one year.

for larceny or malicious destruction of notes, bank bills, &c. of said value, with knowledge, &c.;

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, warrant, 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.

for buying or receiving goods, notes, &c. knowing them to be stolen;

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, warrant, 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, upon conviction thereof, shall be imprisoned in the penitentiary, and kept at hard labor, not more than three [years,] nor less than one year.

for the larceny, &c. of money, goods, &c. or the malicious destruction of notes, &c. of less value than $35.

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 maliciously destroy any bank bill, promissory note, bill of exchange, order, warrant, 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.

Penalty for receiving or buying the same, knowing them to be stolen, to defraud the owner thereof.

Twofold restitution, fine, or imprisonment.

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.

Embezzlement.

Penalty as for larceny.

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.

Embezzlement of evidences of debt executed but not delivered.

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.

Penalty for knowingly buying or receiving embezzled property;

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, for hire, or any person employed in such transportation or carrying, shall, without the assent of his employer, take, embezzle, or convert to his own use, such goods, money, right in action, property or effects, or any part of them, and before delivery of such article at the place or to the person entitled to receive them, he shall, upon conviction, be punished in the manner prescribed by law for feloniously stealing property of the value of the article so taken, embezzled, converted, or secreted.

upon carriers for hire, for taking, converting, &c. property delivered to them for carriage.

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.

Persons imprisoned in jail may be employed at hard labor.

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.

Rules for the government, discipline, and protection of prisoners in the jail.

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.

Defendant entitled to four peremptory challenges when, &c.

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.

supreme court, or the judge trying the case, may allow such number of witnesses on behalf of the defendant as may appear necessary, and the fees thereof, with the costs of service, to be paid in the same manner as government witnesses are now paid.

Repealing clause.

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.

When act takes effect.

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.

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 authorized to nominate, and with the advice and consent of the Senate to appoint, Lieutenant Joseph P. Fyffe to the active list of the navy, and to restore him to the rank to which he may be entitled thereon.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LXVII. — *An Act fixing the Compensation for the Bailiffs and Criers of the Courts of the District of Columbia.*

Pay of bailiffs and criers of the 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 the bailiffs and criers, who are required by the marshal or courts of the District of Columbia to attend upon the district, circuit, or criminal court of said District, shall be paid by said marshal three dollars and fifty cents per day for each day's attendance, (instead of two dollars, as now provided by law,) commencing with the first of January, eighteen hundred and sixty-six.

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "Mississippi Submerged Tubular Bridge Company," a corporation organized under the laws of the State of Missouri, be, and the same is hereby, empowered to construct, maintain, and operate a submerged iron tubular 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 not inconsistent with the provisions of 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.

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.

SEC. 2. *And be it further enacted*, That any bridge built under the provisions of this act shall be tubular in construction, and sunk below the bed of said river, so that the top of said structure shall be below the bed of the channel of the Mississippi river, and so that the same shall in no wise interfere with or obstruct navigation when completed, or prevent a safe and expeditious transit for all classes of vessels upon said river during construction.

Any such bridge to be a lawful structure and a post-route.

Charges for transportation.

SEC. 3. *And be it further enacted*, That any bridge erected under the provisions of this act 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, 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.

Bridge to be open equally to all steam railroads, &c. and at what charges.

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.*

Feb. 25, 1867.

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 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.

Grant of land to Oregon for a military wagon road, &c.

Extent of grant.

Lands granted, how to be applied.

Reservations.

Right of way over lands reserved.

Mineral lands not included in grant.

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

Lands granted, how only to be disposed of.

Road to be a public highway, and free to 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.

Road, how to be constructed.

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.

Additional public lands may be used in the construction of the road.

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.

Lands granted, how to be disposed of.

To revert to the United States, unless, &c.

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.

Lands granted to be surveyed.

APPROVED, February 25, 1867.

Feb. 25, 1867.
1866, ch. 201, § 21.
Ante, p. 183.

CHAP. LXXVIII. — *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.*

Forfeiture of fifty cents a ton for steam tugboats not of the United States, employed in towing, &c. not to apply to certain towing.

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.

Feb. 25, 1867.
1866, ch. 299, § 12.
Ante, p. 334.

CHAP. LXXIX. — *An Act to amend Section twelve, Chapter two hundred and ninety-nine, of the Laws of the First Session of the Thirty-Ninth Congress.*

Judge advocates of the army, tenure of office of, &c.

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 "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.

Feb. 25, 1867.

CHAP. LXXX. — *An Act to amend an Act granting the Right of Way over the military Reserve at Fort Gratiot, Michigan.*

Buildings erected by any railroad company upon the military reservation at Fort Gratiot, to be of wood or fire-proof.
1859, ch. 26.
Vol. xi. p. 381.

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 granting the right of way over, and depot grounds upon, the military reserve of Fort Gratiot, in the State of Michigan," passed February the eighth, eighteen hundred and fifty-nine, be, and the same is hereby, amended by inserting in the last proviso, after the word "wood," the words "or fire-proof," so that the same shall read, "that all buildings to be erected upon said reservation shall be of wood or fire-proof."

APPROVED, February 25, 1867.

Feb. 25, 1867.

CHAP. LXXXI. — *An Act to change certain Collection Districts in Maryland and Virginia.*

Collection districts of Oxford and Vienna in Maryland abolished, &c.
Oxford district to be annexed to the district of Baltimore.
District of Vienna annexed in part to Cherry-Stone district, and the rest made the eastern district.
Collector, salary, residence.
Crisfield to be the port of entry.

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 the State of 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.

Offices of a certain deputy collector and surveyor discontinued.

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.

Repealing clause.

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.

Feb. 25, 1867.

CHAP. LXXXII. — *An Act relative to Collection Districts in North Carolina.*

Four collection districts established 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 Newbern. 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.

Albemarle.

Port of entry at Plymouth.

Pamlico.

Port of entry at Newbern.

Beaufort.

Port of entry at Beaufort.

Wilmington.

Port of entry at Wilmington.

Collectors, appointment, residence, salary.

Proviso.

Port of entry in Beaufort district may be changed.

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.

Repealing clause.

APPROVED, February 25, 1867.

Feb. 25, 1867.

1866, ch. 234, § 9. *Ante*, p. 228.

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.*

Section nine of the act of 1866, ch. 234, amended.

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 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: —

What vessels subject to the navigation laws.

SEC. 9. *And be it further enacted*, That all vessels navigating the *baqs* [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 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.

Steam vessels to be subject to regulations. 1852, ch. 106, § 29. Vol. x. p. 72.

Sea-going steam vessels, except, &c. when under way, except upon the high seas, to be under the direction of pilots.

Certain existing regulations under State laws not affected.

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.

The Clinton bridge across the Mississippi river declared a post-route.

Rates of tolls, &c.

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.

Regulations as to the draw of the bridge.

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.

Litigation arising from alleged obstruction to navigation, where to be tried.

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.

Act may be amended so as, &c.

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: —

Consular and diplomatic expenses appropriation.

For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Aus-

Envoys extraordinary, ministers and commissioners.

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.

Present minister resident at Portugal.

American legation at Rome.

For salaries of secretaries of legation, thirty thousand dollars.

Secretaries of legation.

For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.

Assistant secretaries.

For salary of the interpreter to the legation to China, five thousand dollars.

Interpreters.

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.

Contingent expenses.

For contingent expenses of foreign intercourse, sixty-five thousand dollars.

For expenses of intercourse with the Barbary powers, three thousand dollars.

Barbary powers.

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.

Consulates in the Turkish dominions.

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.

American seamen in foreign countries.

1811, ch. 28. Vol. ii. p. 651.

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.

Rescue from shipwreck.

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.

Blank books, stationery, &c. postages and exchange.

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.

Office rent of certain consuls-general, &c.

For salaries of consuls-general, consuls, commercial agents, and thirteen consular clerks, namely:—

I. CONSULATES GENERAL.

Consulates General.

SCHEDULE B.

Schedule B.

Alexandria, Calcutta, Constantinople, Frankfort-on-the-Main, Havana, Montreal, Shanghai.

II. CONSULATES.

Consulates.

SCHEDULE B.

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,

Dundee, Elsinore, Erie, Foo-choo, Funchal, Geneva, Genoa, Gibraltar, Glasgow, Goderich, Guaymas, Halifax, Hamburg, Havre, Honolulu, Hong-Kong, Hankow, Jerusalem, Kanagawa, Kingston, Jamaica, Kingston in Canada, La Rochelle, Laguayra, Lahaina, Leeds, Leghorn, Leipsic, Lisbon, Liverpool, London, Lyons, Malaga, Malta, Manchester, Matanzas, Marseilles, Mauritius, Melbourne, Messina, Moscow, Munich, Nagasaki, Naples, Nassau, (West Indies,) Newcastle, Nice, Nantes, Odessa, Oporto, Palermo, Panama, Paris, Pernambuco, Pictou, Ponce, Port Mahon, Prescott, Prince Edward Island, Quebec, Revel, Rio de Janeiro, Rome, Rotterdam, San Juan del Sur, San Juan, (Porto Rico,) Saint John, (Canada East,) Santiago de Cuba, Port Sarnia, Singapore, Smyrna, Spezzia, Southampton, Saint John, (Newfoundland,) Saint Petersburg, Saint Pierre, (Martinique.) Saint Thomas, Stuttgardt, Swatow, Saint Helena, Tampico, Tangier, Toronto, Trieste, Trinidad de Cuba, Tripoli, Tunis, Turk's Island, Valparaiso, Vera Cruz, Vienna, Windsor, Zurich. And the salary of the consul at Chemnitz shall be two thousand dollars per annum. And the salaries of the consuls at Rome, Quebec, Munich, and Spezzia, respectively, shall be fifteen hundred dollars, and the salary at Spezzia shall take effect from the beginning of the present fiscal year.

Commercial agencies. Schedule B.

III. COMMERCIAL AGENCIES.

SCHEDULE B.

Balize, (Honduras,) Madagascar, San Juan del Norte, Saint Domingo.

Consulates. Schedule C.

IV. CONSULATES.

SCHEDULE C.

Aux Cayes, Bahia, Batavia, Bay of Islands, Cape Haytien, Cape Town, Carthagena, Ceylon, Cobija, Cyprus, Falkland Islands, Fayal, Guayaquil, Lanthala, Maranham, Matamoras, Mexico, Montevideo, Omoa, Payta, Para, Paso del Norte, Piræus, Rio Grande, Sabanilla, Saint Catharine, Santa Cruz, (West Indies,) Santiago, (Cape Verde,) Stettin, Tabasco, Tahita, Talcahuano, Tumbez, Venice, Zanzibar.

Commercial agencies. Schedule C.

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.

No pay to any consul, &c. unless a citizen of the United States.

Interpreters to consulates in China.

For interpreters to the consulates in China, including loss by exchange thereon, five thousand eight hundred dollars.

Bringing home persons charged with crime.

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.

Marshals of consular courts.

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.

Consulates established at Mahe and San Domingo; appropriations.

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.

Prisons for American convicts in Japan, &c.

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.

Ministers resident, &c. to Hayti and Liberia.

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.

Suppression of slave-trade. 1862. ch. 140. Vol. xii. p. 531.

For expenses under the act to encourage immigration, twenty thousand dollars.

Immigration. 1864. ch. 246. Vol. xiii. p. 385.

For expenses under the neutrality act, twenty thousand dollars.

Neutrality.

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.

Boundary line on Washington Territory.

For defraying the expenses which may be incurred by despatches over the Atlantic cable, thirty thousand dollars.

Despatches over the Atlantic cable.

For the payment of the second annual instalment 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.

Second annual instalment towards the capitalization of the Scheldt dues. Vol. xiii. p. 649.

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.*

Feb. 28, 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 the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-eight:—

Military Academy appropriation.

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

Pay.

For commutation of subsistence, five thousand and fifty dollars.

Commutation, &c.

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

Pay in lieu of clothing.

For current and ordinary expenses, sixty-six thousand four hundred and sixty-seven dollars.

Current and ordinary expenses.

For increase and expense of library, three thousand dollars.

Library.

For expenses of board of visitors, five thousand dollars.

Board of visitors.

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

Forage.

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

Horses.

For repairs of officers' quarters, five thousand dollars.

Officers' quarters.

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

Artillery practice.

For furniture for cadets' hospital, two hundred dollars.

Hospital.

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

Gas pipes, &c.

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

Subaltern officers.

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, forty thousand dollars.

Ventilating, heating, hospital buildings, &c.

For purchase of fuel for cadets' mess-hall, three thousand dollars.

Fuel.

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

Gas works.

For additional appropriations, for which estimates were not made last year:—

Additional appropriations.

For enlarging cadet laundry, five thousand dollars.

Laundry.

For furniture for soldiers' hospital, one hundred dollars.

Soldiers' hospital.

For increasing the supply of water, replacing mains, and so forth, fifteen thousand dollars.

Water.

Ice-house, store, &c. rooms.
Fire-proof building.
Wall of water battery.
Derrick.

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.

Cadets to have the ration, &c.

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.

Pay of assistant professor of Spanish.

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.

No part of appropriation to go to cadet from any State declared in rebellion, &c.

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.

Feb. 28, 1867.

CHAP. CI. — *An Act to fix the Compensation of the Officers of the Revenue Cutter Service, and for other Purposes.*

Compensation of officers of revenue cutter service established.

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.

DUTY PAY.

Captains.

Captains, twenty-five hundred dollars per annum.

Lieutenants and engineers.

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.

Leave of absence or waiting orders pay.

PAY ON LEAVE OF ABSENCE OR WHILE WAITING ORDERS.

Captains.

Captains, eighteen hundred dollars per annum.

Lieutenants and engineers.

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.

Officers on duty entitled to one navy ration per day.

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.

Appropriation.

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.* Feb. 28, 1867.

Preamble.

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 —

1864, ch. 13, § 5. Vol. xiii. p. 6.

Drafted persons who paid commutation and were required to serve or furnish a substitute, may have $300 refunded.

Appropriation.

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.

Amount paid by drafted persons who furnished substitutes, &c. when not liable to personal service or draft, to be refunded.

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.

This section to apply only to certain claims.

APPROVED, February 28, 1867.

CHAP. CIII. — *An Act relative to the Port of Camden, New Jersey.* Feb. 28, 1867.

Port of Camden annexed to the collection district of Philadelphia.

Assistant collector at Camden;

to receive instructions from the collector at Philadelphia.

Salary.

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.

Assistant collector may enroll and license certain vessels engaged in the coasting trade and fisheries.

Such licenses, &c. to be valid.

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 enrolments 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

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.*

Right of the United States to land in the towns of Santa Clara and Petaluma, Cal. relinquished to those towns, &c.

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.

The grant not to extend to any reservation; nor prejudice adverse rights; nor preclude judicial examinations.

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.*

Public works appropriation.

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: —

Examinations and surveys.

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-

On Atlantic and Pacific coasts; northwestern lakes; western, &c. rivers.

Re-examinations, &c. to be made and plans may be changed.

Other harbors to be examined to determine the improvements required and their cost.

Report to Congress.

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. Balance of existing appropriations may be applied to continue, &c. such works, when, &c.

For extending the pier at Erie harbor, Pennsylvania, and dredging channel through to outer bar, twenty-five thousand dollars. Erie harbor.

For improvement at mouth of Conneaut river, Ohio, ten thousand dollars. Conneaut river.

For improvement at Ashtabula harbor, Ohio, fifty-four thousand dollars. Ashtabula

For improvement of works at Grand River harbor, Ohio, sixty thousand dollars. Grand River.

For improvement of Sandusky river, from Fremont to Lake Erie, in Ohio, twenty thousand dollars. Sandusky river.

For improvement of Maumee bay, Ohio, twenty thousand dollars. Maumee bay.

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. St. Clair flats.

For improvement at mouth of Saginaw river, Michigan, twenty-eight thousand dollars. Saginaw river.

For improvement of St. Mary's river, Michigan, fifty thousand dollars. St. Mary's river.

For improving mouth of Au Sable river, Lake Huron, fifty thousand dollars. Au Sable river.

For improving Marquette harbor, Lake Superior, eighty-five thousand dollars. Marquette harbor.

For improving Eagle harbor, Lake Superior, sixty-five thousand dollars. Eagle harbor.

For improving harbor at Superior City, Wisconsin, sixty-three thousand dollars. Superior City.

For improving harbor of Aux Becs Scies, Michigan, ten thousand dollars. Aux Becs Scies.

For improvement of Grand River harbor, Michigan, forty thousand dollars. Grand River.

For improvement of Black Lake harbor, Michigan, fifty-one thousand dollars. Black Lake.

For improving harbor of St. Joseph, Michigan, twenty-three thousand dollars. St. Joseph.

For improving harbor at Racine, Wisconsin, forty-five thousand dollars. Racine.

For improving harbor of Sheboygan, Wisconsin, eight thousand dollars. Sheboygan.

For improving harbor of Manitowoc, Wisconsin, forty-five thousand dollars. Manitowoc.

For improving harbor of Green Bay, Wisconsin, forty-five thousand dollars. Green Bay.

For improving harbor of Manistee, Michigan, sixty thousand dollars. Manistee.

For improvement of White River harbor, Michigan, fifty-seven thousand dollars. White River.

For improvement of Muskegon harbor, Lake Michigan, fifty-nine thousand dollars. Muskegon.

For improving harbor of South Haven, Michigan, forty-three thousand dollars. South Haven.

For improving harbor of New Buffalo, Michigan, sixty thousand dollars. New Buffalo.

Dunkirk. For improving harbor of Dunkirk, New York, one hundred thousand dollars.

Buffalo. For improving harbor of Buffalo, New York, one hundred thousand dollars.

Olcott. For improving harbor at Olcott, New York, at mouth of Eighteen-mile creek, sixty thousand dollars.

Oak Orchard. For improvement at harbor of Oak Orchard, New York, eighty-seven thousand dollars.

Big Sodus bay. For improving harbor of Big Sodus bay, New York, eighty thousand dollars.

Little Sodus bay. For improving harbor of Little Sodus bay, New York, fifty thousand dollars.

Oswego. For improving harbor at Oswego, New York, sixty thousand dollars.

Plattsburg. For improving harbor of Plattsburg, New York, twenty-six thousand dollars.

Kennebec river. For completing the improvement of the navigation of the Kennebec river, Maine, between Shepard's Point and Augusta, thirty thousand dollars.

Ogdensburg. For improving harbor of Ogdensburg, New York, forty thousand dollars.

Burlington. For improving the harbor of Burlington, Vermont, eighty thousand dollars.

Thames river. For improvement of Thames river, Connecticut, thirty-six thousand dollars.

St. Croix river. 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.

Province of New Brunswick to pay the like sum, &c.

Hudson river. For improvement of Hudson river, New York, from Troy to Baltimore, three hundred and five thousand one hundred and eighty-eight dollars.

Marcus Hook. For improving harbor of Marcus Hook, Pennsylvania, ninety-four thousand dollars.

Chester harbor. For improvement of Chester harbor, Pennsylvania, eleven thousand dollars.

Delaware breakwater. For improvement of Delaware breakwater, Delaware bay, one hundred and nine thousand four hundred and ninety-three dollars and seventy cents.

Patapsco river. For improvement of Patapsco river, Maryland, seventy-five thousand dollars.

Mississippi river. For improvement of mouth of Mississippi river, two hundred thousand dollars.

Ohio river. For improvement of Ohio river, one hundred thousand dollars.

Saco river. For improvement of Saco river, Maine, forty thousand dollars.

Boston harbor. For preservation and improvement of Boston harbor, Massachusetts, three hundred and seventy-five thousand dollars.

Improving the navigation of the Mississippi river at Des Moines; Canal to be free of tolls. For 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.

Rock Island rapids. For improving navigation of Mississippi river at Rock Island rapids, two hundred thousand dollars.

Ontonagon harbor. For improving harbor of Ontonagon, Michigan, ninety-seven thousand six hundred dollars.

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. Dredges and snag-boats on the Mississippi river;

For building and operating one dredge or snag-boat on the Wisconsin river, forty thousand dollars. the Wisconsin river.

For improving harbor of Pentwater, Lake Michigan, fifty-five thousand dollars. Harbor of Pentwater;

For improving harbor of Pere Marquette, Lake Michigan, fifty thousand dollars. Pere Marquette.

To improve the navigation of the Willamette river, Oregon, below the city of Portland, thirty thousand dollars. Willamette river.

For removing snags and boulders throughout the Minnesota river, thirty-seven thousand five hundred dollars. Snags, &c. in the Minnesota river.

For improvement of Providence river, Rhode Island, off Pawtuxet bar, and at the Crook, twenty-five thousand dollars. Providence river.

For improvement of the Pawtucket river, Rhode Island, seventeen thousand dollars. Pawtucket river.

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 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, 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.

Former appropriation for harbor at Michigan City how to be expended. 1866, ch. 138. *Ante*, p. 73.

Double the amount must have been expended by the Michigan City Harbor Company.

Vessels not to be subject to toll.

Appropriations to be so applied as to complete the works;

for other purposes than for examinations, &c. by contract;

how to be expended when the work cannot be the subject of contract.

Contracts not to be made until, &c.

Secretary of War to report results of surveys to Congress with plans, &c.

Report to state what;

to be continued until works are 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,

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.

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 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.

Examinations, or surveys, or both, to be made at various points, and the purpose of the examinations;

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 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 Kal[a]mazoo river, in Michigan; at Port Clinton, in Ohio; at Pultneyville, 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.

to be continued at certain other points.

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.*

Pay of army officers below the rank of major-general to be increased one third for two years;

of field and mounted officers;

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.

Increased pay of non-commissioned officers and soldiers to be continued for three years from, &c.

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.

1864, ch. 145, § 1. Vol. xiii. p. 144. *Post*, p. 808.

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.

Provision as to commutation of rations to apply to enlisted men who died as prisoners of war, or after their release.
Ante, p. 364.
to whom to be paid.

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.

Repeal of act of 1861, ch. 42, § 1, authorizing an assistant secretary of war.
Vol. xii. p. 287.

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-eight, 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."

Promotion of surgeons and assistant surgeons in the volunteer service.
1866, ch. 299, § 17.
Ante, p. 335.

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."

The word "white" stricken out of the acts relating to the militia.
1792, ch. 33.
Vol. i. p. 271.

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.

Rank, pay, &c. of storekeepers of the army, except, &c.
Post chaplains.
Chaplains, how to rank.
Tenure of office, allowances &c. of army chaplains.

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.

In applications for bounty, where discharge has been lost, what secondary proof is to be admitted of its issue, &c.

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.

General officers may receive an additional ration for every five years' service.
1838, ch. 162, § 15.
Vol. v. p. 258.
Officers on retired list.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CXLVI. — *An Act in Relation to Persons imprisoned under Sentence for Offences against the Laws of the United States.*

Convicts under any law of the United States confined in prison, conducting themselves well, to have deductions made from the term of their sentence.

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.

March 2, 1867.

CHAP. CXLVII. — *An Act for the Relief of certain Contractors for the Construction of Vessels-of-War and Steam Machinery.*

Claims of contractors for building certain vessels of war and steam machinery to be investigated.

Basis of the investigation.

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 the name of the contractor, a description of the work, the contract price, the whole increased cost of the work over the contract price, and the amount of such increased cost caused by the delay and action of the government as aforesaid, and the amount already paid the contractor over and above the contract price: *Provided*, That the Secretary of the Navy, under the resolution, shall investigate the claim of W. H. Webb for constructing the steamer Dunderberg, applying the provisions of this resolution in such investigation, except that proper consideration shall be given to the increased cost incurred by said Webb by reason of any alteration in the plans and specifications for the Dunderberg made during the progress of the work, whether such alterations were provided for in the original contract or not, when payment for the same was not embraced in the contract price.

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

CHAP. CXLVIII. — *An Act to amend an 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.*

March 2, 1867.

1866, ch. 158. *Ante*, p. 78.

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.

Time for completion of first twenty miles of road-bed of Amboy, &c. railroad extended to July 1, 1867.

APPROVED, March 2, 1867.

CHAP. CXLIX. — *An Act to authorize the Building of Lighthouses therein mentioned, and for other Purposes.*

March 2, 1867.

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:

Secretary of Treasury to contract for the building, at not over a certain cost, of lighthouses at

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.

Trowbridge Point.

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.

Mendota.

For building a lighthouse on a proper site at Santa Cruz, in the State of California, at a cost not exceeding ten thousand dollars.

Santa Cruz.

For building a lighthouse at Pigeon river, or vicinity, Lake Superior, Minnesota, fifteen thousand dollars.

Pigeon river.

For building a lighthouse on a proper site at or near Braddock's Point, Georgia, at a cost not exceeding fifteen thousand dollars.

Braddock's Point.

For building a lighthouse to mark Tybee Island Knoll, Georgia, at a cost not exceeding fifteen thousand dollars.

Tybee Island Knoll.

For building range-lights on Morris Island, as guides in crossing Charleston Bar, South Carolina, at a cost not exceeding fifteen thousand dollars.

Morris Island.

For rebuilding the lighthouse on a proper site at Deepwater Shoals in James River, Virginia, at a cost not exceeding sixteen thousand dollars.

Deepwater Shoals.

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.

Saint Simon's.

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.

Survey to be made at Crossledge Shoals, &c. Delaware bay, and report and estimate.

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.

Contract to be made after advertisement for proposals, and with lowest bidder, &c.

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: *Pro-*

Salaries of keepers of lighthouses to be regulated by the Secretary of the Treasury.

The average not to exceed $600 to each.

vided, That the whole sum allowed shall not exceed an average of six hundred dollars to each keeper.

APPROVED, March 2, 1867.

March 2, 1867.
1864, ch. 95.
Vol. xiii. p. 85.

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.*

Legislative assemblies of Territories not to grant special charters; but may pass general incorporation acts for, &c.

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.

Jurisdiction of probate courts in Montana extended to certain civil and criminal cases;

but not to certain other causes.

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.

Appeals allowed.

Salary of the chief justice and associates of Montana and Idaho.

SEC. 3. *And be it further enacted*, That the chief justice and associate justices of said Territory and the Territory of Idaho, shall each receive an annual salary of thirty-five hundred dollars.

Judges of supreme court to define the judicial districts, assign judges, and appoint the times and places of holding the courts.

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.

Two terms a year at each place.

Legislative functions of the Territory of Montana revived.

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 holden 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

Assembly, &c. districts.

Election of members.

Voters.

Apportionment of representation.

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. District may be changed.

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. Certain former acts of assembly of Montana declared null. Claims for vested rights may be made. Certain legislation not to be valid until, &c.

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. Salary of judges of supreme courts in Territories, except.

SEC. 8. *And be it further enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

APPROVED, March 2, 1867.

CHAP. CLI. — *An Act to amend an Act entitled "An Act to provide a Temporary Government for the Territory of Idaho," approved March three, eighteen hundred and sixty-three.* March 2, 1867. 1863, ch. 117. Vol. xii. p. 808.

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. Judges of Supreme Court to define the judicial districts, assign judges, and appoint times and places for holding courts.

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. Sessions of the legislative assembly. Elections for members.

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 for the term of two years and the districts wherein members of the council 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. Term of office of members of house and of council. Councillor districts, and election of members of council. Proviso.

SEC. 4. *And be it further enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

APPROVED, March 2, 1867

March 2, 1867.
1866, ch. 236.
Ante, p. 231.

CHAP. CLII. — *An Act to amend an 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.*

Repeal of part of section six of act of 1866, ch. 236.

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.

City of Washington to pay $78,000 as its part for building jail in the District of Columbia.

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

Georgetown to pay $12,000.

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.*

Preamble.

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,

See Vol. xv. pp. 2, 14, 29, 30.

Certain rebel States to be divided into military districts and subjected to military authority.

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

First District.
Second District.

the second district; Georgia, Alabama, and Florida the third district;

Third District.

Mississippi and Arkansas the fourth district; and Louisiana and Texas

Fourth District.

the fifth district.

Fifth District.

President to assign army officer to command each 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.

Military force to be detailed.
Commanders of districts, their powers and duties.
Local civil tribunals.
Military tribunals.
State interference declared null.

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.

Persons under military arrest to be speedily tried.
Punishment.
Sentences of military tribunals.

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.

Sentences of death.

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.

Conditions upon which such States shall be declared entitled to representation in Congress.

Delegates to conventions to form constitution, by whom elected.

Provisions of constitutions as to the elective franchise.

Constitutions to be ratified by popular vote;

to be approved by Congress.

The States to adopt the amendment to the Constitution.

Ante, p. 358.

Senators and representatives to be admitted upon taking the oath, and this act becomes inoperative.

Proviso.

Certain persons not eligible as members of the constitutional 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.

The civil government of such States to be provisional only until they are admitted to representation.

Who may vote in elections to office under provisional governments, and who are eligible to office.

Vol. xv. p. 4.

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.

In Senate of the United States,
March 2, 1867.

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.*

Persons holding or appointed to any civil office, to hold the same until, &c.

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:

The Secretaries of the several departments to hold office for, &c. Subject to removal.

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.

When civil officers, except, &c. shall become disqualified, &c. the President may suspend them and appoint persons temporarily to such offices.

Such persons to take the oaths and give the bonds.

The President to report such suspensions and appointments to the Senate.

If Senate concurs, the President may remove the officer and appoint successor.

If Senate does not concur, the suspended officer resumes his office.

Provision as to salary, &c. during the suspension.

Proviso.

Suspension may be revoked and officer reinstated, if, &c.

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.

Vacancies happening dur-

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.

ing the recess of the Senate, how to be filled.

When office to remain in abeyance.

Powers of office during such period, to be exercised by whom.

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.

No term of office extended by this act.

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.

Penalty for accepting or exercising office contrary to this act.

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.

The removal, or employment, or appointment, or issuing, &c. of a commission, &c. of any person contrary to this act, made a high misdemeanor, and penalty therefor.

Proviso.

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.

Secretary of Senate at the end of each session to furnish lists of nominations and rejections, &c.

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.

The President to notify the Secretary of the Treasury when he has made an appointment to office without the consent of the Senate.

Duty of the Secretary in such case.

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

Money not to be paid to, or received by, any person contrary to this act.

No claim, account, &c. for such payment, to be approved, &c.

Violations of this section declared high misdemeanors, and penalty therefor.

the exercising 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.*

Certain acts, proclamations, and orders of the President of the United States, or acts done by his authority and approval, legalized and made valid, as if, &c.

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 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;

his clerks and their salary;

how appointed and removed.

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.

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.

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.

All rules as to pay, rank, duties, &c. to apply alike to officers and soldiers of the regular army and of the volunteer service.

State militia not affected hereby.

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.

Emoluments of commissioned officers of army not increased by act 1864, ch. 145. Vol. xiii. p. 144.

The first section of act 1865, ch. 79, vol. xiii. p. 487, not retroactive.

APPROVED, March 2, 1867.

CHAP. CLX. — *An Act to grant certain Privileges to the Alexandria, Washington, and Georgetown Railroad Company, in the District of Columbia.* March 2, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress be, and the same is hereby, granted 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, 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 such steam power as the corporation of Washington may, by its ordinances, at any time impose upon, or at any time require of, the said railroad company.

The Alexandria, Washington, &c. R. R. Co. may use steam power to draw their cars, &c.

1863, ch. 110. Vol. xii. p. 805.

Corporation of Washington may make regulations.

APPROVED, March 2, 1867.

CHAP. CLXI. — *An Act authorizing limited Partnerships in the District of Columbia.* March 2, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That limited partnerships for the transaction of any mercantile, mechanical, or manufacturing business within the District of Columbia may be formed by two or more persons upon the terms, with the rights and powers, and subject to the conditions and liabilities herein prescribed.

Limited partnerships for, &c. may be formed in the District of Columbia.

SEC. 2. *And be it further enacted*, That such partnership may consist of one or more persons, who shall be called general partners, and who shall be jointly and severally responsible as general partners are by law, and of one or more persons, who shall contribute in actual cash payments a specific sum as capital to the common stock, who shall be called special partners, and who shall not be liable for the debts of the partnership beyond the fund so contributed by him or them to the capital; but the number of special partners shall in no partnership exceed six.

Partnership to consist of general and special partners.

Liability of each.

Number of special partners not to exceed six.

SEC. 3. *And be it further enacted*, That persons desirous of forming

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.

how to be acknowledged and certified, and where to be filed and recorded.

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.

SEC. 5. *And be it further enacted*, That at the time of filing the original certificate, with the evedence of the acknowledgment thereof, as before directed, an affidavit of one or more of the general partners shall also be filed therewith in the same office, stating that the sums specified in the certificate to have been contributed by each of the special partners to the common stock have been actually and in good faith paid in cash.

Partnership not to be formed until certificate and affidavit are filed.

SEC. 6. *And be it further enacted*, That no such partnership shall be deemed to have been formed until a certificate shall have been made, acknowledged, filed, and recorded, nor until an affidavit shall have been made and filed as above directed; and if any false statement (not the result of accident or mistake) shall be made in such certificate or affidavit, all the persons interested in such partnership shall be liable for all the engagements thereof as general partners.

All persons interested to be liable as general partners, if, &c.

Terms of the partnership when registered to be published.

SEC. 7. *And be it further enacted*, That the partners shall publish the terms of the partnership, when registered, three times a week for at least four weeks, immediately after such registry, in two newspapers to be designated by the clerk of the court in which such registry shall be made, the first publication to appear within one week after the registry, and if such publication be not made, the partnership shall be deemed general. The affidavits of the publication of such notice by the editors or publishers of the newspapers in which the same shall have been published shall be filed with the clerk directing the same, and shall be prima facie evidence of the facts therein contained; the affidavit of any one editor or publisher of each newspaper being sufficient.

Affidavits of publication, how made, filed, and effect thereof.

Renewals or continuance of such partnerships.

SEC. 8. *And be it further enacted*, That every renewal or continuance of such partnership beyond the time originally fixed for its duration shall be certified, acknowledged, and recorded, and an affidavit of a general partner be made and filed, and notice be given in the manner herein required for its original formation; and every such partnership which shall be otherwise renewed and continued shall be deemed a general partnership.

Certain alterations in the partnership to be deemed a dissolution.

SEC. 9. *And be it further enacted*, That every alteration which shall be made in the names of the partners, in the nature of the business, or in the capital or shares thereof, or in any other matter specified in the original certificate, shall be deemed a dissolution of the partnership; and every such partnership which shall in any manner be carried on after any such alteration shall have been made shall be deemed a general partnership, unless renewed as a special partnership, under the provisions of the last preceding section.

Business may be conducted under what name.

SEC. 10. *And be it further enacted*, That the business of the partnership may be conducted under the name of any one or more of the general partners, and with or without the addition of the word Co. or company, as the parties may determine; and in any action or suit to be brought on any

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.

In suits against the partnership the general partners only to be necessary defendants.

Effect of judgments.

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.

General partners to transact the business.

Special partners to be liable, if, &c.

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, profits, 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.

Sums contributed by special partners not to be withdrawn, &c.

Interest and 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.

If capital is reduced by payment to special partner, he shall make good the same, &c.

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 insolvency 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.

Sales, transfers, &c. of partnership property, or, &c. because, or in view, of insolvency, or to give preference, to be void as against creditors.

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 individual partner, shall be liable as a general partner.

Special partners to become liable as general partners if, &c.

SEC. 16. *And be it further enacted*, That in case of the insolvency or bankruptcy of the partnership no special partner shall, under any circumstances, be allowed to claim as a creditor until the claims of all the other creditors of the partnership shall be satisfied.

In case of insolvency, special partners not to claim as creditors, until, &c.

SEC. 17. *And be it further enacted*, That all suits respecting the business of the partnership shall be brought by and against the general partners only, except in those cases in which provision is hereinbefore made that special partners shall be deemed general partners and special partnerships 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.

Suits respecting partnership business to be brought by and against general partners, except, &c.

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 partners were the only parties defendant to the writ, excepting that the partners who may be deemed not liable shall recover their legal costs

Proceedings in suits against general and special partners, when special partners appear not to be liable;

Proceedings against general partners, when special partners afterwards appear to have become liable.

Judgment to be prima facie evidence of, &c.

against the plaintiffs; and if creditors shall have recovered a judgment or obtained a decree against general partners only, and shall afterwards discover that special partners or some one or more of them have become liable as general partners, he may bring a new suit against such special partner or partners; and in such suit the judgment recovered as aforesaid shall be prima facie evidence of the amount due by the partnership, and the partnership debt shall not be merged in any judgment or decree recovered or obtained against any partner or partners, as against any other partner or partners.

Partnership not to be dissolved before the time stated in certificate, unless, &c.

SEC. 19. *And be it further enacted*, That no dissolution of such partnership by act of the partners shall take place previous to the time specified in the certificate of its formation, or in the certificate of its renewal, unless in consequence of the death of one of the partners, or insolvency of the partnership, or of one of the general partners, nor until a notice of such dissolution shall have been filed and recorded in the clerk's office in which the original certificate was recorded, and published once a week for four weeks in two newspapers, to be designated by the clerk of the supreme court of the District of Columbia, which publication may be proved by affidavit and recorded as hereinbefore prescribed for the publication of the certificate for the formation of such partnership.

General partners liable to account to each other and to special partners.

SEC. 20. *And be it further enacted*, That the general partners shall be liable to account to each other and to the special partners for the management of the concern, both in law and equity.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXII. — *An Act to incorporate the Howard University in the District of Columbia.*

The Howard University incorporated 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."

Corporators.

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 imple[a]ded, 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.

Corporate name and powers.

Net annual income not to exceed $50,000 over, &c.

First meeting of corporators.

SEC. 3. *And be it further enacted*, That the first meeting of said corporators shall be holden 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.

Notice.

By-laws.

Board of trustees, how elected; their powers and duties.

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.

Common seal.

President, secretary, treasurer.

Bond of treasurer.

Professors, tutors, and other officers.

Meetings of board; how called.

Quorum.

University to consist of what departments.

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.

Each department to be governed by its faculty, subject, &c.

Trustees to regulate course of study, &c. confer degrees, &c.;

may remove any professor or officer;

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.

to publish an annual report.

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.

Gifts, devises, &c. not affected by a mistake in name.

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.

Funds not to be employed in banking operations.

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.

Act may be altered or repealed.

APPROVED, March 2, 1867.

March 2, 1867.
1789, ch. 12.
Vol. i. p. 65.

CHAP. CLXIII. — *An Act supplemental to "An Act to establish the Treasury Department," approved the second of September, seventeen hundred and eighty-nine.*

The Secretary of the Treasury may authorize one of the assistant secretaries to sign warrants to pay money, &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 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

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.

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.*

1866, ch. 79. *Ante*, p. 45.

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:

The National Theological Institute and University.

SEC. 1. That the name of the aforesaid corporation shall be and hereby is changed to that of "The National Theological Institute and University."

Amount of real estate.

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.

Authority of corporation.

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.

March 2, 1867.

CHAP. CLXV. — *An Act extending the Time for the Completion of certain Street Railways.*

Time for completing part of line of Metropolitan R. R. Co. extended.

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, 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.

1864, ch. 190, § 17. Vol. xiii. p. 329.

APPROVED, March 2, 1867.

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.*

Legislative, executive, and judicial expenses appropriation.

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. Pay and mileage of senators, officers, clerks, &c.

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; officer charged with disbursements of the Senate, five hundred and seventy-six 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.

Pay of officers &c. of Senate.

For contingent expenses of the Senate, viz:—

Contingent expenses.

For stationery, twenty-five thousand dollars.

Stationery.

For newspapers, five thousand dollars.

Newspapers.

For Congressional Globe, thirty-five thousand five hundred and thirty-two dollars.

Congressional Globe.

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.

Additional compensation to reporters.

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.

Globe and Appendix; sets to new senators.

Proviso.

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.

Globe and Appendix.

For clerks to committees, pages, horses, and carryalls, fifty-five thousand seven hundred and fifty dollars.

Clerks to committees, &c.

For capitol police, twenty-five thousand five hundred dollars.

Capitol police.

For expenses of heating and ventilating apparatus, twenty-five thousand dollars.

Heating and ventilating.

For miscellaneous items, thirty thousand dollars.

Miscellaneous.

For compensation and mileage of members of the House of Representatives and delegates from Territories, one million one hundred thousand dollars.

Pay and mileage of representatives, &c.

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

of officers, clerks, &c.

Pay of officers and clerks of the House of Representatives.

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; clerk to committee on public lands, two thousand one hundred and sixty dollars; clerk to committee on claims, two thousand one hundred and sixty dollars; sergeant-at-arms, two thousand five hundred and ninety-two dollars; clerk to the sergeant-at-arms, two thousand one hundred and sixty dollars; messenger to the sergeant-at-arms, one thousand four hundred and forty dollars; doorkeeper, two thousand five hundred and ninety-two dollars; first assistant doorkeeper, two thousand five hundred and ninety-two dollars; postmaster, two thousand five hundred and ninety-two dollars; first assistant postmaster, two thousand and eighty-eight dollars; five messengers, at one thousand seven hundred and twenty-eight dollars each; two mail boys, at one thousand and eighty dollars each; chaplain of the House, nine hundred dollars; stenographers, four thousand three hundred and eighty dollars; superintendent of folding room, two thousand one hundred and sixty dollars; superintendent and assistant of the document room, at five dollars and seventy-six cents per day each, four thousand two hundred and five dollars and eighty cents; eleven messengers, five at eighteen hundred dollars and six at fourteen hundred and forty dollars; twelve messengers during the session, at the rate of fourteen hundred and forty dollars per annum, eleven thousand five hundred and twenty dollars.

See Joint Res. No. 36. March 30, 1867. Vol. xv.

Capitol police.

For captain of capitol police, two thousand and eighty-eight dollars; lieutenant, eighteen hundred dollars; twenty-nine policemen, each at one thousand five hundred and eighty-four dollars per annum, and one watchman, at eleven hundred and fifty-two dollars, twenty-five thousand four hundred and eighty-eight dollars; making one hundred and fifty-five thousand two hundred and forty-nine dollars.

Contingent expenses of House.

For contingent expenses of the House of Representatives, viz:—

Cartage.

For cartage, three thousand eight hundred dollars.

Clerks to committees and temporary clerks.

For clerks to committees and temporary clerks of the House of Representatives, thirty-four thousand dollars.

Globe and Appendix.

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-five thousand five hundred and ninety-two dollars, or so much thereof as may be necessary.

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.

Sets to new representatives and delegates.

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

Notice to terminate the purchase of sets.

representative, and delegate, provided for by the act approved July fourth, eighteen hundred and sixty-four. 1864, ch. 250, § 4. Vol. xiii. p. 392.

For folding documents, including materials, forty-two thousand dollars. Folding.

For fuel and lights, including plumbing, gas fitting, repairs, and materials, fifteen thousand dollars. Fuel, lights, &c.

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

For horses, carriages, and saddle horses, ten thousand two hundred and thirty dollars. Horses, carriages, &c.

For laborers, twelve thousand eight hundred and ninety-three dollars. Laborers.

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. Louis Saunders.

For miscellaneous items, fifty-three thousand six hundred and fifty dollars. Miscellaneous.

For newspapers, twelve thousand five hundred dollars. Newspapers.

For pages and temporary mail boys, sixteen thousand two hundred dollars. Pages, &c.

For reporting and publishing proceedings in the Daily Globe, twenty-eight thousand dollars. Reporting, &c in Daily Globe.

For stationery, twenty-seven thousand dollars. Stationery.

For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House, eight hundred dollars each, four thousand eight hundred dollars. Additional pay to reporters.

Public Printing. — For compensation of the superintendent of the public printing, and the clerks and messengers in his office, eleven thousand five hundred and seventeen dollars. Public printing. Pay of superintendent, clerks, &c.

For contingent expenses of his office, viz: For stationery, postage, advertising, furniture, travelling expenses, horses and wagons, and miscellaneous items, two thousand dollars. Contingencies.

For the public printing, four hundred and forty-three thousand eight hundred and sixty dollars. Public printing.

For paper for the public printing, seven hundred and sixty-five thousand nine hundred and seventy-two dollars. Paper for public printing.

For the public binding, three hundred and fifty-one thousand three hundred and sixty-six dollars. Binding.

For mapping in cases pending in the Supreme Court of the United States, three thousand dollars. Mapping.

For lithographing and engraving for the Senate and House of Representatives, seventy-five thousand dollars. Lithographing and engraving.

Library of Congress. — For compensation of librarian, five assistant librarians, messenger, and laborers, thirteen thousand six hundred and eighty dollars. Library of Congress. Pay of librarian, &c.

For twenty per centum additional on the above, twenty-seven hundred and thirty-six dollars.

For contingent expenses of said library, two thousand dollars. Contingencies.

For purchase of books for said library, eight thousand dollars. Books.

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. Botanic garden and greenhouses.

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. Superintendent and assistants.

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. Files of periodicals and newspapers.

Court of claims. Judges, solicitors, &c.

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. President.

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.

Secretaries, clerks, steward, and messenger.

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. Pay of Secretary, &c.

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.

Contingent expenses. Pamphlet laws and in newspapers.

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.

Proof-reading, &c.

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 stationery, blank books, furniture, fixtures, and repairs, five thousand dollars.

Miscellaneous.

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. Pay of secretaries, assistant, &c.;

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.

of 1st comptroller

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.

of 2d comptroller;

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.

of 1st auditor;

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.

Compensation of 2d auditor;

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.

of 3d auditor;

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.

of 4th auditor;

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.

of 5th auditor,

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.

of auditor for Post-Office Department;

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-three *three* thousand one hundred and sixty dollars.

of treasurer, assistant treasurer, &c.;

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-eight thousand eight hundred and eighty dollars.

of register, assistant register, &c.;

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.

of solicitor, assistant solicitor, &c.;

For compensation of the solicitor of the treasury, assistant solicitor, chief clerk, and the clerks, laborer, and messenger in his office, twenty-two thousand one hundred dollars.

of commissioner of customs;

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.

of lighthouse board;

For compensation of the chief clerk, clerks, messenger and laborer of the lighthouse board, nine thousand five hundred and twenty dollars.

of comptroller of currency, deputy, &c.

For compensation of the comptroller of the currency, deputy comptroller, clerks, messengers, and laborers, one hundred and twenty thousand dollars.

Paper, dies, and printing circulating notes

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, two hundred thousand dollars.

Internal revenue office.
Pay of commissioner, &c.

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.

Rent and contingent expenses.

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.

Salaries and expenses of collectors, assessors, &c.

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.

No assessor or collector entitled to any part of salary, unless confirmed by the Senate, except, &c.

Contingent expenses of treasury;
in office of the Secretary.

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.

Bureau of Statistics. — For contingent expenses, namely, laborers, office furniture, carpets, fitting up files, and miscellaneous items, four thousand dollars.

Contingent expenses.

Mines and minings.

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. Department of the Interior. Pay of secretary, &c.

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. of commissioner of general land office;

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. of additional clerks; 1855, ch. 207. Vol. x. p. 701. Proviso. Piece-work, &c. To whom to be given.

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. Pay of commissioner of Indian affairs, &c.

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. of commissioner of pensions;

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. additional clerks in pension office. Proviso.

Contingent Expenses — Department of the Interior. — Office of the Secretary of the Interior: Contingent expenses.

For stationery, furniture, and other contingencies, and for books and maps for the library, ten thousand dollars. Office of secretary.

For casual repairs of the patent-office building, including the laying of a pavement on the old wing, twenty thousand dollars. Patent office.

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. Distributing journals and documents. Vol. xi. p. 253. 1859, ch. 22. Vol. xi. p. 379

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. Fuel and lights.

Office of the commissioner of Indian affairs: Office of 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: of 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: of 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. Minnesota.

Surveyors-General and their Clerks. — For compensation of the surveyor-general of Minnesota, and the clerks in his office, eight thousand three hundred dollars.

Dakota and Montana.

For compensation of the surveyor-general of the territories of Dakota and Montana, and the clerks in his office, six thousand three hundred dollars.

Kansas.

For compensation of the surveyor-general of Kansas, and the clerks in his office, seven thousand dollars.

Iowa and Nebraska. 1866, ch. 311. *Ante*, p. 344. Salary of surveyor-general to be $2,000.

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-eight, eighteen hundred and sixty-six, which is fixed at two thousand dollars per annum, and the clerks in his office, seven thousand dollars.

Colorado and Utah.

For compensation of the surveyor-general of the territories of Colorado and Utah, and the clerks in his office, seven thousand dollars.

New Mexico and Arizona.

For compensation of the surveyor-general of New Mexico and Arizona, three thousand dollars.

California.

For compensation of the surveyor-general of California and the clerks in his office, fourteen thousand dollars.

Idaho.

For compensation of the surveyor-general of Idaho Territory and the clerks in his office, five thousand dollars.

Nevada.

For compensation of the surveyor-general of Nevada and the clerks in his office, seven thousand dollars.

Oregon.

For compensation of the surveyor-general of Oregon, and the clerks in his office, six thousand five hundred dollars.

Washington.

For compensation of the surveyor-general of Washington Territory, and the clerks in his office, four thousand six hundred and nine dollars.

Recorder of land titles in Missouri.

For compensation of recorder of land titles in Missouri, five hundred dollars.

Rent of surveyor-general's office in Oregon;

Rent of Surveyors-Generals' Office. — For rent of surveyor-general's office in Oregon, fuel, books, stationery, and other incidental expenses, including pay of messenger, fifteen hundred dollars.

California;

For rent of surveyor-general's office of California, fuel, books, stationery, and other incidental expenses, including pay of messenger, five thousand dollars.

Washington;

For office rent for the surveyor-general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Kansas;

For office rent of the surveyor-general of Kansas, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Iowa and Nebraska;

For office rent of the surveyor-general of Iowa and Nebraska, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Dakota and Montana;

For rent of surveyor-general's office in the territories of Dakota and Montana, fuel, books, stationery, and other incidental expenses, one thousand one hundred dollars.

Colorado and Utah;

For rent of office for the surveyor-general of Colorado and Utah territories, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Idaho;

For rent of office of the surveyor-general of Idaho, two thousand dollars.

Nevada.

For rent of office for the surveyor-general of Nevada, two thousand dollars.

Expenses of courts of the United States, suits in which the United States are concerned, safe-keeping of pris-

[*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 prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, one million three hundred thousand dollars. oners, and prosecution of crime.

War Department. — For compensation of the Secretary of War, assistant secretary of war, chief clerk, and the clerks, messenger, assistant messengers, and laborer in his office, sixty-one thousand three hundred and eighty dollars. War Department. Pay of secretary, &c.;

For compensation of the clerks and messengers in the office of the adjutant-general, two hundred and sixteen thousand seven hundred dollars. Office of adjutant-general.

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. of quartermaster-general;

For compensation of the chief clerk, clerks, messengers, assistant messengers, and laborers in the office of the paymaster-general, two hundred and nine thousand two hundred dollars. of paymaster-general;

For compensation of the clerks, messenger, and laborers in the office of the commissary-general, fifty-four thousand four hundred and forty dollars. of commissary-general;

For compensation of the clerks, messenger, and laborer in the office of the surgeon-general, forty-three thousand eight hundred and forty dollars. of surgeon-general;

For compensation of the clerks, messengers, and laborers in the office of the chief engineer, twenty-eight thousand eight hundred and eighty dollars. of chief engineer;

For compensation of the clerks and messenger in the office of the colonel of ordnance, sixty thousand and forty dollars. of colonel of ordnance.

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 ordnance, under provisions of act of July twenty-third, eighteen hundred and sixty-six, six thousand six hundred and forty dollars. Additional compensation to employees. 1866, ch. 208, § 7. *Ante*, p. 207.

For compensation of two clerks of class two in the signal office, two thousand eight hundred dollars. Pay of clerks in signal office;

For compensation of one clerk of class four in the office of inspector of military academy, one thousand eight hundred dollars. of military academy;

For compensation of the clerks in the office of military justice, seven thousand two hundred dollars. of military justice.

Contingent Expenses of the War Department. — Office of the Secretary of War: Contingent expenses.

For blank books, stationery, labor, books, maps, extra clerk hire, and miscellaneous items, twenty thousand dollars. Office of Secretary of War;

Office of the adjutant-general:

For blank books, stationery, binding, and miscellaneous items, twenty-five thousand dollars. of adjutant-general;

Office of the quartermaster-general:

For blank books, stationery, binding, and miscellaneous items, thirty-five thousand dollars. of quartermaster-general;

Office of the paymaster-general:

For blank books, stationery, binding, and miscellaneous items, ten thousand dollars. of paymaster-general;

Office of the commissary-general:

For blank books, stationery, and binding, including rent of office and hire of watchmen, fourteen thousand dollars. of commissary-general;

Office of the chief engineer:

For blank books, stationery, binding, and miscellaneous items, three thousand five hundred dollars. of chief engineer;

Office of the surgeon-general:

For blank books, stationery, binding, and miscellaneous items, including rent of office, fifteen thousand dollars. of surgeon-general.

Office of chief of ordnance;

Office of the chief of ordnance:

For blank books, stationery, binding, and miscellaneous items, five thousand dollars.

of military justice;

Office of military justice:

For blank books, stationery, binding, and miscellaneous items, one thousand two 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.

1866, ch. 208, § 7. *Ante*, p. 207.

For additional compensation to subordinate employees, under provisions of act of July twenty-third, eighteen hundred and sixty-six, seven hundred and twenty dollars.

Building corner of F and Seventeenth streets.

For the General Purposes of the Building Corner of F and Seventee[n]th 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.

Building corner of F and Fifteenth streets.

For the General Purposes of the Building Corner of F and Fifteenth Streets. — For superintendent, watchmen, rent, fuel, lights, and miscellaneous items, fifteen thousand dollars.

Navy Department.

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.

Pay of secretary, assistant, solicitor, &c.

Bureau of yards and docks;

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 class one, and one draughtsman, at a salary of eighteen hundred dollars per annum, sixteen thousand six hundred and forty dollars.

clerks, &c. authorized;

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, fourteen thousand nine hundred and twenty dollars.

of navigation;

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.

of ordnance;

salary of draughtsman;

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.

of construction and repair; salary of draughtsman;

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 hundred dollars per annum, messenger and laborer in his office, eighteen thousand two hundred and twenty dollars.

of steam engineering; salary of draughtsman;

For compensation of the chief of the bureau of steam engineering, chief clerk, and the clerks, draughtsman, whose salary is hereby established at eighteen hundred dollars per annum, messenger, and laborer in his office, twelve thousand two hundred and twenty dollars; and of one clerk of class two, which is hereby authorized, one thousand four hundred 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-two thousand one hundred and twenty 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, eleven thousand four hundred and twenty dollars.

Incidental and Contingent Expenses of the Navy Department. — Office of the Secretary of the Navy:

Contingent expenses.

Office of Secretary of Navy;

For stationery, labor, newspapers, periodicals, and miscellaneous items, five thousand dollars.

Bureau of yards and docks:

Bureau of yards and docks;

For stationery, books, plans, drawings, and incidental labor, one thousand eight hundred dollars.

Bureau of equipment and recruiting:

equipment and recruiting;

For stationery, books, and miscellaneous items seven hundred and fifty dollars.

Bureau of navigation:

navigation;

For stationery, blank books, binding, and miscellaneous items, two thousand four hundred dollars.

Bureau of ordnance:

ordnance;

For stationery, and miscellaneous items, including three hundred dollars for photographer, one thousand three hundred dollars.

Bureau of construction and repair:

construction and repair;

For stationery and miscellaneous items, one thousand dollars.

Bureau of steam engineering:

steam engineering;

For blank books, binding, stationery, and miscellaneous items, two thousand five hundred dollars.

Bureau of provisions and clothing:

provisions and clothing;

For blank books, stationery, and miscellaneous items, one thousand five hundred dollars.

Bureau of medicine and surgery:

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.

Southwest executive building.

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, assistant messengers, watchmen and laborers of said department, two hundred and seventy-three thousand one hundred and sixty dollars.

Post-Office Department.

Pay of Postmaster-General, assistants, &c.

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.

Additional pay to employees. 1866, ch. 208, § 7. *Ante*, p. 207

For additional and temporary clerks, forty thousand dollars.

Clerks.

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.

Contingent expenses of Post-Office Department.

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.

Department of agriculture.

For contingencies, viz: For stationery, freight, purchase of library, laboratory, fuel, light, rent, and miscellaneous items, thirteen thousand dollars.

Contingencies.

For collecting agricultural statistics for annual and monthly reports, ten thousand dollars.

Agricultural statistics.

For purchase and distribution of new and valuable seeds, viz:

Purchase and

distribution of seeds.

For purchase of cereal, vegetable, and flower seeds, and for labor in putting up seeds, seed bags, and miscellaneous items, eighty 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: *Provided*, That the commissioner shall, on or before the fifteenth day of December in each year hereafter, make a report, in detail, to Congress, of all moneys expended by him.

Rare and uncommon seeds only to be purchased.

Annual report of expenditures to Congress.

Glover Museum.

For the purchase of the Glover Museum, ten thousand dollars.

Seed room.

For employees in seed room, five thousand two hundred dollars.

Plants, cuttings, and shrubs.

Proviso.

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.

Experimental garden.

For experimental garden in reservation number two, eight thousand eight hundred dollars.

Mint at Philadelphia.

Mint at Philadelphia. — For salaries of the director, treasurer, assayer, melter and refiner, chief coiner and engraver, assistant assayer and seven clerks, thirty-six thousand five hundred dollars.

For wages of workmen and adjusters, one hundred and twenty-five thousand dollars.

For incidental and contingent expenses, ten thousand dollars.

For specimens 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.

Branch mint at San Francisco.

Branch Mint at San Francisco, California. — For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks, thirty thousand five hundred dollars.

For wages of workmen and adjusters, two hundred and five thousand four hundred and fifty dollars.

For incidental and contingent expenses, repairs and wastage, in addition to available profits, fifty-seven thousand and forty-seven dollars and seventy-three cents.

For specimens of ores, three hundred dollars.

Assay office, New York.

Assay Office at New York. — For salaries of superintendent, assayer, and melter and refiner, assistant assayer, officers, and clerks, twenty-five thousand seven hundred dollars.

For wages of workmen, in addition to unexpended balances of former appropriations, forty thousand dollars.

For incidental and contingent expenses, seventy thousand dollars.

Branch mint at Denver.

Branch Mint at Denver. — For superintendent, assayer, melter and refiner, coiner, and clerks, thirteen thousand dollars.

For wages of workmen, twenty-two thousand seven hundred and seventy dollars.

For incidental and contingent expenses, fifteen thousand five hundred dollars.

Independent treasury.

Independent Treasury. — For salaries of the assistant treasurers 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 St. Louis, each, five thousand dollars; and the one at Charleston, two thousand five hundred dollars; twenty thousand five hundred dollars.

Pay of assistant treasurers at Boston, New York, Charleston, and St. Louis.

Philadelphia.

For additional salary of the treasurer of the mint at Philadelphia, one thousand five hundred dollars.

New Orleans.

For additional salary of the treasurer of the branch mint at New Orleans, five hundred dollars.

Denver.

For additional salary of the treasurer of the branch mint at Denver, five 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. San Francisco. Salary not to be increased beyond what law allows.

For salaries of the clerks and messengers in the office of assistant treasurer at Boston, twenty-five thousand two hundred dollars. Clerks, &c. in office of assistant treasurer at Boston;

For salaries of clerks, messengers, and watchmen in office of the assistant treasurer at Philadelphia, eighteen thousand three hundred dollars. Philadelphia;

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. New York;

For salaries of clerks, messenger, and watchmen in the office of the assistant treasurer at Saint Louis, nine thousand seven hundred and sixty dollars. St. Louis;

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 assistant treasurer at St. Louis, eight hundred dollars. St. Louis;

For salaries of clerks, porter, and watchmen in the office of the assistant treasurer at New Orleans, nine thousand six hundred dollars. New Orleans;

For compensation to stamp clerk in the office of the assistant treasurer at San Francisco, two thousand four hundred dollars. San Francisco;

For compensation of the depositary at Santa Fe, and the clerk, watchman, and porter in his office, four thousand eight hundred dollars. Santa Fe;

For salary of the clerk to the acting assistant treasurer at Denver, one thousand eight hundred dollars. Denver;

For salaries of clerks in the office of the depositary at Louisville, five thousand nine hundred and forty dollars. Louisville;

For salaries of clerks in the office of the depositary at Chicago, two thousand six hundred dollars. Chicago;

For salaries of clerks and watchmen in the office of the depositary at Pittsburg, three thousand four hundred dollars. Pittsburg;

For salaries of clerks and messengers in the office of the depositary at Baltimore, seven thousand six hundred dollars. Baltimore;

For salaries of clerks in the office of the assistant treasurer at San Francisco, four thousand five hundred dollars. San Francisco;

For salaries of clerks in the office of the depositary at Cincinnati, ten thousand two hundred dollars. Cincinnati.

For salaries of additional clerks, and additional compensation of officers and clerks, under act of August sixth, eighteen hundred and forty-six, for the better organization of the treasury, at existing rates, sixty thousand dollars. Additional clerks, &c. 1846, ch. 90. Vol. ix. p. 59.

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. Designated depositaries.

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. Special agents.

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. Inspectors of steamboats. 1852, ch. 106. Vol. x. p. 61. Investigation of causes of disaster to vessels, and prosecutions for violations of law.

For contingent expenses under the act of the sixth of August, eighteen

Contingent expenses. hundred and forty-six, for the collection, safe-keeping, transfer, and disbursement of the public revenue, in addition to the 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.

No part for clerical services.

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.

GOVERNMENTS IN THE TERRITORIES.

Governments in the Territories.

Territory of New Mexico; *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. Territory of Idaho;

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. Montana.

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.

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. Office of Attorney-General.

For additional compensation to one messenger, under provisions of act of July twenty-three, eighteen hundred and sixty-six, one hundred dollars. 1866, ch. 208, § 7. *Ante*, p. 207.

Contingent expenses of the office of the Attorney-General, namely: Contingent expenses.

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. Law, &c. books.

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. Justices of the Supreme Court of the United States.

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. District judges.

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. Courts in the District of Columbia.

For salary of the reporter of the decisions of the Supreme Court of the United States, two thousand five hundred dollars. Reporter of decisions

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. District attorneys.

For compensation of the district marshals, eleven thousand three hundred dollars. Marshals.

For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of treasury notes, two million dollars. Expenses of loans and treasury notes.

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

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. Detection, &c. of counterfeiters of the securities and coin of the United States.

For supplying deficiency in the fund for the relief of sick and disabled seamen, two hundred and fifty thousand dollars. Sick and disabled seamen.

For salaries of commissioners under "An act to provide for the re- Commissioners to revise, &c. the

statutes, clerks, and printing. 1866, ch. 140. *Ante*, p. 74.

vision and consolidation of the statute laws of the United States," approved June twenty-seventh, eighteen hundred and sixty-six, and for clerical services and other incidental expenses, the printing to be done by the government printing office, seventeen thousand dollars.

Laborers in capitol.

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.

Public gardener and laborers.

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 eight 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.

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.

Watchmen on dome.

For compensation of three watchmen on the dome, two thousand seven hundred dollars.

Heating apparatus of library.

For compensation of a person to take care of the heating apparatus of the library of Congress, one thousand dollars.

Assistant doorkeeper at President's house.

For compensation of assistant doorkeeper at the President's house, six hundred dollars.

Watchmen.

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.

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 draw-bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand three hundred and ninety-six dollars.

Furnace-keeper and watchman.

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.

Additional pay to watchmen and laborers.

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.

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

Pay increased fifty per cent. from July 1, 1867.

Increase, how to be borne.

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.

Levy court may levy special tax.

No person to be appointed policeman or watchman who has not, &c.

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 to which the United States shall be a party in the court of claims, either plaintiff or defendant.

Witnesses not to be excluded on account of color. 1864, ch. 210, § 3. Vol. xiii. p. 351.

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.

Geological and topographical exploration between the Rocky Mountains and the Sierra Nevada, if, &c.

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.* March 2, 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 objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-eight, viz: —

Civil expenses appropriations

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.

Coast survey. Atlantic and Gulf coasts.

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.

Western coast.

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.

South Florida reefs, &c.

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.

Publishing.

For repairs and maintenance of the complement of vessels used in the coast survey, thirty thousand dollars.

Vessels.

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.

Pay, &c. of engineers.

Lighthouse Establishment. — For the Atlantic, Gulf, Lake, and Pacific coasts, viz: —

Lighthouse establishment. Atlantic, Gulf, Lake, and Pacific coasts.

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 lighthouses 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-three 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-signals 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.

1851, ch. 32. Vol. ix. p. 608.

Wharf, &c. at Wood's Hole.

For repairs to the wharf and buildings at the buoy depot, Wood's Hole, Massachusetts, twelve thousand dollars.

Connimicut Point.

For enabling the lighthouse board to make such alterations in the day-beacon at Connimicut 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.

Cumberland Head.

For rebuilding Cumberland Head lighthouse upon a more eligible site, eighteen thousand dollars.

Saugerties.

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. Lighthouse depot, Staten Island.

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. Morgan's Point.

For tramways, grading, and fences and dredging at the Staten Island depot, eight thousand dollars.

For protection of the lighthouse site at Absecom, New Jersey, five thousand dollars. Absecom.

For rebuilding the lighthouse at Egg Island, New Jersey, fifteen thousand dollars. Egg Island.

For constructing a buoy-shed at the lighthouse depot, Staten Island, New York, three thousand seven hundred and eighty-eight dollars. Staten Island.

For a beacon-light at Somers's Cove, Maryland, ten thousand dollars. Somers's Cove.

For rebuilding the first-class lighthouse at Cape Hatteras, North Carolina, seventy-five thousand dollars. Cape Hatteras.

For repairs and renovations at Tybee Island light-station, in addition to former appropriations, thirty-four thousand four hundred and forty-three dollars. Tybee Island.

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. Cape Canaveral.

For repairs and renovations at Pensacola light-station, twenty thousand dollars. Pensacola.

For rebuilding Sand Island light-station, eighty thousand dollars. Sand Island.

For rebuilding 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. Mobile Point.

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. Repairs, &c. at various stations.

For beacon-light on Sister Island, Saint Lawrence River, ten thousand dollars. Sister Island.

For repairs and renovations at the light-station on West Sister Island, Lake Erie, twelve thousand dollars.

For additional appropriation for range-lights at Maumee Bay, Ohio, five thousand dollars. Maumee Bay.

For repairs and renovations at Bayley's Harbor light-station, Michigan, fifteen thousand dollars. Bayley's Harbor.

For repairs and renovations at Bois Blanc Island light-station, Michigan, fourteen thousand dollars. Bois Blanc Island.

For new lighthouse on the South Fox Island, Lake Michigan, eighteen thousand dollars. South Fox Island.

For a new lighthouse and fog-signal on Granite Island, Lake Superior, twenty thousand dollars. Granite Island

For rebuilding and improving the lighthouse at Skillagalee (Isle aux Galets), Lake Michigan, forty thousand dollars. Skillagalee.

For day-beacon to mark Stanard's Rock, Lake Superior, ten thousand dollars. Stanard's Rock.

For new lighthouse at Sturgeon Point, Lake Huron, fifteen thousand dollars. Sturgeon Point.

For new lanterns at the light-stations at Grand River and Milwaukee, (North Point), three thousand dollars. Grand River and Milwaukee.

For rebuilding the keeper's dwelling at Presque Isle light-station, Lake Huron, seven thousand five hundred dollars. Presque Isle.

Thunder Bay. For rebuilding the keeper's dwelling at Thunder Bay Island light-station, Lake Huron, eight thousand dollars.

Muskegon. For rebuilding the keeper's dwelling at Muskegon light-station, Lake Michigan, eight thousand dollars.

Sand Point. For additional appropriation for a beacon-light on Sand Point, west side of Little Bay de Noquet, Michigan, nine thousand dollars.

Point Conception. For an efficient fog-signal at Point Conception, California, six thousand dollars.

Southern coasts. To enable the lighthouse board to re-establish lights and other aids to navigation on the Southern coast, one hundred thousand dollars.

Life-saving stations; superintendents, keepers, &c. 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.

Lighthouses. Santa Cruz. For the establishment of a lighthouse at Santa Cruz, California, ten thousand dollars; Point Reyes, fifteen thousand dollars.

Trowbridge Point. For a lighthouse at Trowbridge Point, in Thunder Bay, Michigan, ten thousand dollars.

Mendota. For a lighthouse at Mendota, on Lake Superior, Michigan, fourteen thousand dollars.

Braddock's Point. For a lighthouse at or near Braddock's Point, Georgia, in place of Caliboque light vessel, fifteen thousand dollars.

Tybee Island Knoll. For a lighthouse to mark Tybee Island Knoll, Georgia, in place of light-vessel, fifteen thousand dollars.

Morris Island. For range-lights on Morris Island, as guides in crossing Charleston Bar, South Carolina, fifteen thousand dollars.

Deep Water Shoals. For rebuilding lighthouse on Deep Water Shoals, in James river, Virginia, sixteen thousand dollars.

Saint Simon's. For rebuilding lighthouse tower and keeper's dwelling at Saint Simon's, Georgia, forty-five thousand dollars.

Southwest Pass. 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.

Punta Arenas. For a new lighthouse at Punta Arenas, California, sixty-five thousand dollars.

Cape Blanco. For a new lighthouse at Cape Blanco, Oregon, seventy-five thousand dollars.

Estate of Charles H. Peaslee. *Miscellaneous.* — 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.

Barge office. For erecting a barge office at New York, fifty thousand dollars.

Suspension bridge. For the purchase of the stone building and lot at Suspension Bridge, New York, now used for government purposes, six thousand dollars.

Custom-house at Wiscasset; 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.

New Orleans. For fitting up certain rooms in the unfinished portion of the custom-house building in New Orleans, Louisiana, ten thousand dollars.

Patent-office building. 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. Capitol extension.

For the dome of the capitol, fifteen thousand dollars. Dome.

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. Census office.

For repairs to marine hospital at Louisville, Kentucky, ten thousand dollars. Marine hospital.

For a custom-house in Newport, Vermont, ten thousand dollars. Custom-house at Newport, Vt.

For purchase of a site and the erection of a building for a custom-house and post-office at Machias, Maine, twenty thousand dollars. Machias;

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. Astoria. Loading, &c. of vessels at Portland.

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. Appraisers' stores, Philadelphia.

For repairs and preservation of custom-houses and other public buildings, twenty-five thousand dollars. Repairs, &c. of custom-houses, &c.

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. Iron spindle on Success Rock.

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. Custom-houses

For burglar and fire proof vaults and safes for depositories, twenty thousand dollars. Burglar, &c. proof safes.

For replacing galvanized iron roofs with copper or slate roofs, twenty-five thousand dollars. Copper, &c. roofs.

For furniture, carpets, and miscellaneous expenses of treasury buildings, thirty-five thousand dollars. Treasury buildings.

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. Presidential mansion.

For heating apparatus for public buildings, twenty-five thousand dollars. Heating.

For United States court-house and post-office at Des Moines, Iowa, eighty-five thousand dollars. Court-house, &c. at Des Moines.

For the completion of the approaches and fencing to the treasury building, fifty thousand dollars. Treasury building.

For continuation of the treasury extension, fifty thousand dollars.

For repairs and alterations in the New York custom-house, thirty thousand dollars. New York custom-house.

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. Statutes at Large.

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. James Tufts. Census of Montana. 1864, ch. 95, § 4. Vol. xiii. p. 87.

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 index to the tariff bill now pending, one thousand dollars.

Public buildings and grounds.

Transient paupers, &c.

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, how to light their lamps, and for what time.

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.

For fuel for the President's house, five thousand dollars.

Pennsylvania Avenue.

For repairs of Pennsylvania Avenue, and sprinkling the same, and keeping it clean and free from dirt, two thousand dollars.

Public reservations.

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.

Squares and grounds.

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

Water-pipes.

For repairs of water-pipes, five hundred dollars.

Sewer traps.

For cleaning and repairing sewer traps on Pennsylvania Avenue, eight 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.

Buildings and streets.

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.

Conservatory and greenhouse.

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.

Hawley's conductors.

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.

Lighting dome of capitol.

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.

Public buildings, grounds, streets, &c.

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.

Foot-bridge on Maine Avenue.

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.

Reservations, &c.

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

Streets and squares.

those that have been destroyed on the streets, heretofore planted by the government, two thousand dollars.

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.

Lighting rotunda.

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.

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.

Bust of Pulaski.

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.

Smithsonian Institution. — For the preservation of the collections of the exploring and surveying expeditions of the government, ten thousand dollars.

Government hospital for the insane.

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.

Salary of superintendent established.

East wing.

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.

Wall.

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

Coal-house.

For building a coal-house near the wharf, two thousand dollars.

Washington aqueduct.

Washington Aqueduct. — For the payment of the employees in the management, engineering, and repairs of the Washington Aqueduct, twenty thousand dollars.

Patent Office. Copyrights.

Patent Office. — 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.

Illustrations, &c. of commissioner's report.

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.

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

Not over ten deaf mutes may be received from the States and Territories, and how.

prescribed by law for residents of the District of Columbia, at the discretion of the president of the institution.

Additions to buildings.

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.

Enlargement, &c. of grounds.

For the enlargement and further improvement of the grounds of the institution, including under-drainage, seven thousand five hundred dollars.

Water.

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.

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 collecting 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.

Salaries, &c. of registers and receivers.

For incidental expenses of the several land offices, nineteen thousand four hundred dollars.

Surveys of public lands in Minnesota;

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.

Dakota;

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.

Nebraska;

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.

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.

Idaho;

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.

Colorado;

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.

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, twenty thousand dollars.

Arizona;

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.

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, thirty 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, twenty thousand dollars.

Washington Territory;

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.

forty-second parallel between California and Oregon.

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.

Survey of boundary between Oregon and Idaho;

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.

thirty-seventh parallel.

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.

Office of commissioner of public buildings abolished; chief engineer to perform duties, superintend Washington Aqueduct, &c.

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.

Appointment of capitol police.

Lighthouse board may apply unexpended balances on Pacific coast;

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.

may purchase sites for lighthouses, &c. when, &c.

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 superintendency or collection district.

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.

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.

Pay of clerk of pardons in State Department.

Vol. xiii. p. 758.

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.

Clerk of the House to select newspapers in each of the ten rebel States in which the laws, legal notices, &c. shall be published.

See Vol. xv. p. 8.

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 as 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

Pay therefor.

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 the 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 foregoing provisions; and thereupon and thereafter it shall be the duty of the several executive officers charged therewith to furnish to such selected papers only an authentic copy of the publications to be made as aforesaid; 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 department 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.

Heads of executive departments and judges to be notified, and they are to publish only in such newspapers.

Rates of pay in all the States for publishing the laws.

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 conveyances to the purchaser or purchasers thereof.

Secretary of Treasury may sell at auction the old custom-house at Alexandria, New Haven, Norfolk, Portsmouth, Perth Amboy and Sackett's Harbor;

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.

to examine and report upon the public buildings in New Mexico.

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 proclamations 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 publication 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: *Provided further*, That all printing of any kind ordered by the executive departments 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.

All advertisements, notices, &c. to be printed only in two newspapers in the District of Columbia, and in each equally.

See Vol. xv. p. 7.

Rates of pay.

Printing to be done by government printer, except, &c.

Vol. xv. p. 13

SEC. 11. *And be it further enacted*, That all laws and parts of laws conflicting with the above provisions with respect to the official advertising in the District of Columbia be and are hereby repealed.

Repeal of inconsistent laws.

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.

Pay of clerks at arsenal in Springfield increased.

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.*

Deficiency appropriations for the year ending June 30, 1867.

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.

DEPARTMENT OF THE INTERIOR.

Pension bureau.

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.

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.

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.

Amount due marshals and assistants in California;

Maine;

Ohio;

Oregon;

Kansas;

Kentucky;

Maryland;

Missouri;

Tennessee;

New Mexico;

Washington.

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 dollars and twenty cents; in the State of Kansas, sixty-eight dollars and forty cents; in the State of Kentucky, nine thousand three hundred and eleven dollars and fifty cents; in the State of Maryland, four thousand seven hundred and eighty-one dollars and forty cents; in the State of Missouri, eight thousand three hundred and forty-three dollars; in the State of Tennessee, twenty thousand eight hundred and forty-two dollars and eighteen cents; in the Territory of New Mexico, seven hundred 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 to it aid and comfort.

No part to be paid to any one participating in the rebellion.

Indian bureau.

Indian service in Oregon and Washington.

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.

Payment to be made only to original owner of claim.

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. Isaac Strohm.

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. Library of Congress.

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. Public buildings and grounds. Accounts for repairs and furnishing executive mansion to be approved

To replace the bruised and worn copper water-pipes or roof gutters of the Capitol building with iron pipes, three thousand dollars. Capitol.

To supply a deficiency in fuel for the President's house and for the Capitol, two thousand dollars. Fuel.

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. Streets.

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. Sewers.

To thoroughly repair the roof of the executive mansion, two thousand five hundred dollars. Executive mansion.

To pay deficiency and keep in repair the bridge at or near Little Falls, Potomac river, three thousand three hundred and fifty dollars. Little Falls Bridge.

To pay deficiencies in the contingent expenses of the Senate as follows: — Contingent expenses of the Senate.

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, Connecticut, twenty-five hundred dollars. Miscellaneous. Westport harbor.

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. Thames river

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. F. M. Rotch.

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. Temporary clerks in Treasury Department; may be classified.

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. Mint.

For defraying the expenses incurred by the Department of State by

Atlantic Cable.

sending telegraphic despatches over the Atlantic cable, thirty thousand dollars for the current year.

Custom-house in Charleston.

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.

Beacons in New York bay.

To enable the lighthouse board to erect in the lower bay of New York one or more permanent beacons, forty-five thousand dollars.

American Coast Pilot.

To enable the Secretary of the Treasury to purchase the stereotype plates and copyright of the American Coast Pilot, twenty thousand dollars.

Registers, &c. of land offices. 1866, ch. 262, § 7. *Ante*, p. 252.

To enable the Secretary of the Interior to carry into effect the provision of the seventh section of the act of Congress entitled "An act granting the right of way to ditch and canal owners over public lands, and for other purposes," approved July twenty-six, eighteen hundred and sixty-six, thirty-six thousand dollars.

Geological survey of Nebraska.

SEC. 2. *And be it further enacted*, That the unexpended balance of the appropriations heretofore 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.

Ten cents a cask to be collected on gaugeable goods, &c. withdrawn from bonded warehouses, or on which drawback is allowed.

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.

Salary of gaugers at New York; not to exceed amount of fees.

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.

Claim of Butler and Carpenter to be paid. 1866, ch. 28, § 2. *Ante*, p. 23.

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.

Transfer of surplus to purchase books for library of Congress. Vol. xiii. p. 570.

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.

Pay of deputy surveyor at San Francisco.

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.

Pay of temporary clerks in quartermaster-general's office.

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.

Salaries of district judges of the United States courts.

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.

Salaries of district judges.

To be in full for all official services.

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 therefor 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.

Reporter of decisions of the Supreme Court, if second volume is published in any year.

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.

Notice to publishers of Congressional Globe and Appendix, to terminate agreement. 1864, ch. 250, § 4. Vol. xiii. p. 392.

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.

Additional clerks in office of commissioner of pensions.

Appropriation.

APPROVED, March 2, 1867.

CHAP. CLXIX. — *An Act to amend existing Laws relating to Internal Revenue, and for other Purposes.*

March 2, 1867.

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.

All acts relative to the internal revenue laws now required to be done in May and June to be done hereafter in March and April.

Tax on cotton.

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.

Additional special tax on apothecaries, butchers, confectioners, plumbers, and gas-fitters; how to be assessed and paid.

SEC. 3. *And be it further enacted*, That in all suits or proceedings arising under the internal revenue laws, to which the United States is party, and in all suits or proceedings against a collector or other officer of

District attorney to report concerning suits

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 institution 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.

Commissioner to make rules for district attorneys and marshals respecting suits;

to have charge of all real estate conveyed to the United States under internal revenue law, &c.

may sell the same at public auction with the approval of the Secretary of Treasury;

Sec. 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 otherwise convey, such real estate to the debtor from whom it was taken, or to his heirs or other legal representatives.

may release to debtor land taken upon payment of debt and interest.

Additional penalty upon manufacturers for selling, &c. without a stamp articles required to be stamped.

Proceedings in such cases.

Sec. 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.

Commissioner may designate any assistant assessor to make assessments upon specified objects of taxation.

Other assistant assessors to report.

Assistant assessor may act anywhere in county, where, &c.

Sec. 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 in any part of such collection district for all such taxes as may be due upon any 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. Return.

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. Commissioner may pay sums for detection and trial of persons violating internal revenue laws, &c. Appropriation.

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, where 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. Penalty for neglect or failure to pay tax as required, to be five per cent and interest. No interest for any fraction of a month.

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: — Act of 1864, ch. 173. Vol. xiii. p. 223, amended.

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. Section 22 amended. *Ante*, pp. 104, 105. Pay of assistant assessors to be five dollars a day, from and after March, 1867. Allowance for office rent, &c. discontinued. Amendment.

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." Section 24. *Ante*, p. 106. Commissions on articles shipped, &c.

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." Section 40. Vol. xiii. p. 238. Vacancy in office of collector.

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. Section 73. *Ante*, p. 113. Penalty for exercising any trade, &c. without payment of tax; upon manufacturers of tobacco, snuff, or cigars, or dealers in liquors.

Section 79. *Ante*, p. 116. Definition of dealers in liquors. *Ante*, p. 119. Manufactures of butter and cheese. Certain venders not to be deemed peddlers.

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."

Section 90. *Ante*, p. 125. Forfeiture of tobacco, snuff, and cigars.

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."

Section 94 may be changed. *Ante*, p. 128. Tax on gas to consumers.

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."

Tax on sugars, &c. *Ante*, p. 129.

[By striking out] the paragraphs 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 liquoring, 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 melado."

Who to be regarded as a sugar refiner.

Wood screws. *Ante*, p. 130.

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: —

Gunpowder. *Ante*, p. 130.

"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."

Cigarettes, cigars, and cheroots. *Ante*, p. 133.

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."

Section 94 further amended. *Ante*, pp. 131, 132.

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: —

India-rubber boots, &c.

On boots and shoes, made wholly or in part of India-rubber, two per centum ad valorem.

Hats, caps, bonnets, &c.

On hats, caps, bonnets, and hoods of all descriptions, two per centum ad valorem.

Hoop-skirts.

On hoop-skirts two per centum ad valorem.

Leather and skins.

On leather of all descriptions, and goat, deer, calf, kid, sheep, horse, hog, and dog skins, tanned or partially tanned, curried, finished, or in the rough, two and one half per centum ad valorem.

On manufactures exclusively of glass, other than window glass, three per centum ad valorem.

Manufactures of glass, except, &c.;

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.

of wool.

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 redy[e]ing or reprinting of cloths or other articles."

No tax upon the redyeing or reprinting of cloths.

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."

Section 96. Vol. xiii. p. 272. Exemptions from tax.

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."

Section 103. *Ante*, p. 136. Tax on gross receipts of toll-roads, ferries, and bridges.

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."

Schedule B. Legal documents.

Tax on manifests, not to apply, &c.

Affidavits 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."

No stamp for probate of wills, &c. unless value of estate exceeds $1,000; none upon papers for collecting soldiers' claims on government for pay, pensions, &c. When this takes effect.

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: —

Act of 1866, ch. 184, *ante*, p. 98, amended.

Amendments.

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."

Section 10. *Ante*, p. 147. Articles, &c. exempt from taxation.

Also, by striking out in the paragraph relating to monuments, after the word "monuments," where it first occurs, 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."

Section 18. *Ante*, p. 152. Products of manual-labor schools.

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."

Section 19. *Ante*, p. 152. Suits.

That section forty-three be amended by striking out the last two sentences.

Section 43. *Ante*, pp. 162, 163.

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

Section 48. *Ante*, p. 164. Tax on beer, lager beer, ale, porter, &c.

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 quart[er] and not more than one half shall be accounted one half, and pay tax as such until June first, eighteen hundred and sixty-seven.

Additional articles and products exempt from internal tax.

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 condition 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 carbolate of lime, used solely for disinfectants;

Carpet-bag and cabar frames.

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, enamelled, japanned, 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 cloths 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 buck-saws;

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 Baumé'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 substances; Articles, &c. exempt from internal tax.

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 handcarts, 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-wringing machines, zinc washboards, spinning and flax wheels, hand reels, hand looms, wooden knobs and beehives;

Provided, 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. Exemptions confined to articles in what condition.

SEC. 12. *And be it further enacted*, That there shall be levied, collected, and paid on brandy made from grapes, one dollar per gallon; and if any person shall knowingly manufacture, compound, put up, sell, or dispose of, or cause to be manufactured, compounded, put up, sold, or disposed of, or aid or assist therein, any fluid as or for or under or with the name of brandy made from grapes which shall not be really such, he shall, on conviction thereof, be punished for each offence by a fine not exceeding one thousand dollars, and by imprisonment not exceeding one year, or both said punishments, in the discretion of the court, and any such simulated or compounded fluid as aforesaid shall be forfeited to the United States. Tax on brandy from grapes. Penalty for making, selling, &c. as brandy from grapes, any fluid not really such. Simulated fluid to be forfeited.

SEC. 13. *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: — Further amendments to laws relating to internal taxes. 1864, ch. 173. Vol. xiii. p. 223.

Income. — That section one hundred and sixteen be amended by striking Income tax.

Section 116. Vol. xiii. p. 281.

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.

Rate.

Amount exempt.

Tax to be for year ending December 31.

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. Vol. xiii. p. 281.

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* [is] estimated; interest received or accrued upon *old* [all] 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, che[e]se, 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, profits, 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 mortgagor; 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

In estimating income, what to be included;

what to be deducted.

Proviso.

Further proviso.

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 case 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.

Income.

Further proviso.

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 permittted 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

Section 118. Vol. xiii. p. 282. List or return.

Oath.

Increase.

Neglect or false returns.

Penalty.

Proviso.

Income tax paid in another district.

Amount of income may be proved.

Appeal

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.

Penalty for neglect and refusal not to be assessed until after notice.

Section 119. *Ante*, p. 138. Income tax, when to be levied and when due; to last until 1870 and no longer. Penalty if tax is not paid when due.

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 and including the year eighteen hundred and seventy, and no longer; and to any sum or sums annually due and unpaid after the t[h]irtieth 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.

Proviso as to tax for 1866.

Section 123. *Ante*, p. 139. Tax on the income of those in the civil, military, or naval service of the United States. Rate of tax. Amount of tax to be deducted.

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, naval or other employment or service of the United States, including senators and representatives and delegates in Congress, when exceeding the rate of one thousand dollars per annum, a tax of five per centum on the excess above the said one thousand dollars; and it shall be the duty of all paymasters and all disbursing officers, under the government of the United States, or persons in the employ thereof, when making any payment to any officers or persons as aforesaid, whose compensation is determined by a fixed salary, or upon settling or adjusting the accounts of such officers or persons to deduct and withhold the aforesaid tax of five per centum; and the pay-roll, receipts, 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 accounting officers of the Treasury Department, when auditing the 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 treasurer of the United States, 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: *And provided further*, That in case it should become necessary for showing the true receipts of the government under the operations of this section upon the books of the Treasury Department, the requisite amount may be carried from unappropriated moneys in the treasury to the credit of said account; and this section shall take effect upon salary and compensation for the month of March, eighteen hundred and sixty-seven.

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.

SEC. 14. *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,

Tax on distilled spirits; by whom to be paid; who liable therefor; to be a lien, and on what, and for how long.

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 certified or returned to the collector, who shall immediately demand payment 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 proportion for any greater strength than the strength of first proof.

Tax upon spirits removed from place of distillation, and not deposited in bonded warehouse, when to be assessed, and how collected;

to be collected at no lower rate than basis 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, meters, 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.

Proof spirit to be what.

Secretary of Treasury may adopt meters, &c.

Owners of distilleries to use meters.

Changes of, or additions to, distilling apparatus to be made.

Gallon to be gallon of first proof.

SEC. 16. *And be it further enacted*, That every person, firm, or corporation 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, 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.

Who to be deemed a distiller, and what presumptive evidence thereof.

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

Distilled spirits, before removal from distillery, to be inspected and gauged.

Law requiring an inspector for each distillery repealed. 1866, ch. 184, § 29. *Ante*, p. 155.

Who to perform

their duties.

duly appointed officers as may be designated by the commissioner of internal revenue.

Collector may direct spirits stored in a bonded warehouse to be removed to general bonded warehouse.

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.

Spirits not to be removed from place of manufacture, &c. in certain packages, nor between sunset and sunrise.

Penalty.

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.

Officer specially authorized to seize property.

Powers of such officer.

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.

Barrels, &c. containing, or supposed to contain, distilled spirits, may be seized when and by whom, and detained.

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.

If certain distilled spirits are sold, &c. at a price less than the tax, such sale, &c. to be prima facie evidence that they are liable to forfeiture.

This provision not to apply to certain sales.

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.

Persons drawing off articles subject to tax from barrels, &c. marked, &c. to efface such marks.

Penalty.

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.

When a bond for removal of

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.

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.

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.

Stills fit for use, if not over $ 1000 in value, seized for violation of internal revenue laws, not to be released;

if forfeited, to be destroyed. 1866, ch. 184, § 44. *Ante*, p. 163.

If a still seized is over $ 1000 in value, its release to 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.

Additional penalty upon owners, &c. of stills, for neglect or refusal to do what the law requires concerning distilled spirits.

Fine, forfeiture, and imprisonment.

Stills, &c. may be seized and held.

Proceedings to enforce forfeiture.

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

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.

Fine and imprisonment.

on conviction thereof shall be fined 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.

Forfeited distilled spirits not to be sold for less price than, &c.;

shall be destroyed, if, &c.

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.

Penalty for falsely assuming to be a revenue officer, and acting as such.

Fine and imprisonment.

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.

The mixing, for sale, of naphtha and illuminating oils, or selling, &c. prohibited.

Penalty.

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, inflam[m]able at less temperature or fire test than one hundred and ten degrees Fa[h]renheit, 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 imprisonment for a term of not less than six months nor more than three years.

Penalty for conspiring to commit any offence against the laws of the United States, or to defraud the United States, if any party to the conspiracy does any act in pursuance and in aid thereof.

Offence to be deemed to be committed where.

Sec. 30. *And be it further enacted*, That if two or more persons conspire 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 misdemeanor, 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 impriso[n]ment 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.

Inspectors to give bonds.

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 inspector.

Penalty for selling or giving away, &c. empty cigar boxes that have been stamped, without defacing stamp.

Such cigar box may be destroyed.

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 discretion 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.

Tonnage duty, how often to be levied and collected.

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.

Tax on advertisements and gross receipts of toll-roads repealed.

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.

Inconsistent acts repealed.

Saving clause.

APPROVED, March 2, 1867.

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.*

Army appropriation.

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: —

Recruiting and pay of citizen surgeons.

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

Pay.

For pay of the army, fourteen million seven hundred and fifty-seven thousand nine hundred and fifty-two dollars.

Commutation of subsistence and forage.

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.

Payments in lieu of clothing.

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.

Contingencies.

For contingencies of the army, one hundred thousand dollars.

Artificial limbs.

For artificial limbs for soldiers and seamen, seventy thousand dollars.

Medical museum.

For army medical museum, ten thousand dollars.

Medical works.

For medical works for library of surgeon-general's office, ten thousand dollars.

Commanding-general's office.

For expenses of commanding-general's office, ten thousand dollars.

Armories and arsenals.

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.

Rock Island.

Bridge at Rock Island.

For the erection of a bridge at Rock Island, Illinois, as recommended by the chief of ordnance, 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.

Proviso.

Watervliet arsenal. For Watervliet arsenal, West Troy, New York, thirty-eight thousand two hundred dollars.

Ordnance service. For current expenses of the ordnance service, three hundred thousand dollars.

Arsenals. Allegheny; For Allegheny arsenal, Pittsburg, Pennsylvania, thirty-four thousand dollars.

Champlain; For Champlain arsenal at Vergennes, Vermont, eight hundred dollars.

Columbus; For Columbus arsenal, Columbus, Ohio, one hundred and thirty-nine thousand six hundred and twenty-five dollars.

Fort Monroe; For Fort Monroe arsenal, Old Point Comfort, Virginia, six thousand dollars.

Fort Union; For Fort Union arsenal, Fort Union, New Mexico, ten thousand dollars.

Frankford; For Frankford arsenal, Bridesburg, Pennsylvania, thirty thousand dollars.

Kennebec; For Kennebec arsenal, Augusta, Maine, one thousand five hundred and twenty-five dollars.

Indianapolis; For Indianapolis arsenal, Indianapolis, Indiana, one hundred and sixty-nine thousand six hundred and twenty-five dollars.

Leavenworth; For Leavenworth arsenal, Leavenworth, Kansas, fifteen thousand dollars.

New York; For New York arsenal, Governor's Island, New York, one thousand two hundred dollars.

Pikesville; For Pikesville arsenal, Pikesville, Maryland, eight hundred dollars.

Saint Louis; For Saint Louis arsenal, Saint Louis, Missouri, sixty-five thousand dollars.

Washington; For Washington arsenal, Washington, District of Columbia, fifty thousand dollars.

Watertown. For Watertown arsenal, Watertown, Massachusetts, twenty-one thousand six hundred and sixty-seven dollars.

Purchase of Willard Sears estate. 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.

Land in South Boston may be sold.

Bureau of refugees, freedmen, and abandoned lands. *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.

Salaries. For salaries of clerks, eighty-two thousand eight hundred dollars.

Stationery and printing. For stationery and printing, sixty-three thousand dollars.

Quarters and fuel. For quarters and fuel, two hundred thousand dollars.

Commissary stores. For commissary stores, one million five hundred thousand dollars.

Medical department. For medical department, five hundred thousand dollars.

Transportation. For transportation, eight hundred thousand dollars.

School superintendents. For school superintendents, twenty-five thousand dollars.

Schools and asylums. For buildings for schools and asylums, including construction, rental, and repairs, five hundred thousand dollars.

Telegraphing and postage. 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.

Certain educational institutions.

Limit to pay of certain agents or clerks.

General of the army, headquarters of, orders, &c. 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.

General of the army not to be removed, without, &c.

Penalty for issuing orders contrary hereto.

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.

Repeal of section three of resolution relating to appointments to military academy.

Ante, p. 359.

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.

Fire-proof buildings in Jeffersonville, Indiana.

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.

Whipping or maiming, as a punishment for crime, forbidden in, &c. until, &c.

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.

Militia forces organized or in service in certain rebel States to be disbanded, and their further organization prohibited.

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 travel[l]ing 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 travel[l]ed 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.

Payment of travelling expenses of certain California and Nevada volunteers.

Appropriation.

APPROVED, March 2, 1867.

CHAP. CLXXI. — *An Act making Appropriations for the Construction, Preservation, and Repairs of certain Fortifications and other Works of Defence for the fiscal Year ending June thirtieth, eighteen hundred and sixty-eight.*

March 2, 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 they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the construction, preservation, and repair of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-eight: —

Appropriations for fortifications and other works of defence.

For Fort Scammel, Portland, Maine, fifty thousand dollars.

Appropriation for Fort Scammel.

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 New Bedford harbor;

For Fort at entrance of New Bedford harbor, Massachusetts, thirty thousand dollars.

Fort Schuyler;

For Fort Schuyler, East River, New York, fifty thousand dollars.

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 fort at Sandy Hook, New Jersey, fifty thousand dollars.

Fort Washington;

For repairs 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-five thousand dollars.

Fort Montgomery.

For Fort Montgomery, at the outlet of Lake Champlain, twenty-five thousand dollars.

Purchase, &c. of instruments.

For purchase and repair of instruments, ten thousand dollars.

Purchase of sites for sea-coast defences; not to be made until, &c.

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 the title by the Attorney-General, fifty thousand dollars.

For 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. near St. Louis, Missouri;

For construction and repair of barracks and quarters for engineer troops at the depot of engineer supplies near St. Louis, Missouri, twenty thousand dollars.

at Willett's Point.

For construction and repairs of bar[r]acks for engineer troops at the depot of engineer supplies at Willett's Point, New York, twenty-five thousand dollars.

Not over one half of these appropriations to be expended this year, &c.

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.

Residue.

Board of officers to make experiments to test the power of resistance of turreted and broadside systems of iron-clad vessels of war

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.

against guns of the heaviest calibre.

Facilities, how to be furnished, and expenses how borne.

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.*

March 2, 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 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.

Navy appropriations.

For pay of commission, warrant, and petty officers and seamen, ten millions eight hundred and twenty-six thousand two hundred and eighty dollars.

Pay of officers and seamen.

Bureau of Yards and Docks. — For contingent expenses 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.

Bureau of yards and docks.

Navy Yard at Portsmouth, New Hampshire. — For completing reservoirs and gutters, two thousand five hundred dollars.

Navy yard at Portsmouth;

For repairs of all kinds, sixty-four thousand five hundred dollars.

Navy Yard at Boston. — For repairs of all kinds, one hundred and twenty-seven thousand dollars.

Boston;

Navy Yard at New York. — For repairs of all kinds, one hundred and sixty-three thousand six hundred dollars.

New York;

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.

at Philadelphia;

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.

at Washington; gift of land in the Thames river, near New London, Ct. to be accepted;

Navy Yard at Pensacola. — For repairs of all kinds, eighty thousand four hundred and sixty dollars.

at Pensacola;

Navy Yard at Mare Island. — For gas house, four thousand and seven dollars.

at Mare Island.

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; at Mound City.

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.

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 painting houses and walls, two thousand dollars.

For repairs of all kinds, three thousand dollars.

For improvement of cemetery, three thousand dollars.

For support of beneficiaries, fifty-two thousand dollars.

Civil establishment at navy yards.

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 nine hundred and sixty-seven dollars: *Provided*, That the civil engineer and naval storekeeper, when required at any of the navy yards, shall be appointed by the President by and with the advice and consent of the Senate, and the persons employed at the several navy yards, as master machinists, master carpenters, master joiners, master blacksmiths, master boiler-makers, master sailmakers, master plumbers, and master painters and master caulkers shall be men skilled in their several duties and appointed from civil life.

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.

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.

Nautical Almanac.

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.

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.

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 construction and repair.

Bureau of Steam Engineering. — For pay of superintendents and the civil establishment at the several navy yards under this bureau, twenty-four thousand dollars. of steam engineering;

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. of provisions and clothing;

Bureau of Medicine and Surgery. — For surgeons' necessaries and appliances for the sick and wounded of the navy, marine corps, and coast survey, fifty thousand dollars. of medicine and surgery;

For contingent expenses of the bureau of medicine and surgery, twenty-five thousand dollars. contingent expenses;

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. civil establishment.

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 hospitals; Boston:

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. New York;

Naval Hospital, Philadelphia. — For furniture and general outfit of the establishment, ten thousand dollars. Philadelphia;

Naval Hospital, Washington, D. C. — For repairs of building and appendages, fences, sidewalk, furniture, painting, glazing, and so forth, five thousand dollars. Washington;

Naval Hospital, Norfolk. — For repairs of buildings, appendages, wharves, roads, fences, painting, glazing, furniture, and so forth, seven thousand five hundred dollars. Norfolk;

Naval Hospital, Mare Island, California. — For building naval hospital and appendages, twenty thousand dollars. Mare Island.

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, nine hundred and sixty-seven thousand dollars and sixty-seven cents. Marine corps. Pay, rations, and clothing.

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. Fuel.

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

For transportation of officers, their servants, troops, and expenses of recruiting, twenty-five thousand dollars. Transportation, &c.

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

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; Contingencies.

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.

Secretary of Navy to effect a further exchange of lands with the city of Brooklyn, N. Y. &c.

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.

Title to be approved.

Workmen in navy yards not to be required to pay money for political purposes; not to be discharged for political opinions. Penalty.

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.*

Appropriations for expenses of the Indian Department and treaty stipulations.

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, —

Superintendents, agents, sub-agents, clerks, &c.

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.

Interpreters, presents, provisions.

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.

Buildings and repairs.

For buildings at agencies and repairs thereof, ten thousand dollars.

Contingencies.

For contingencies of the Indian Department, thirty-six thousand five hundred dollars.

Treaty stipulations.

For fulfilling treaty stipulations with the various Indian tribes: —

Apaches.

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.

Post, p. 712.

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.

Arapahos and Cheyennes.

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 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.

Post, p. 704.

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.

Assinaboines.

Assinaboines. — 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.

Arickarees, Gros Ventres, and Mandams.

Arickarees, Gross Ventres, and Mandams. — 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, 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 Arickarees, forty thousand dollars.

Pierre Gavreau.

Cheyennes of the Upper Platte.

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.

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 treaty of October eighteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, forty thousand dollars.

Post, p. 718.

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.

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 treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

Vol. x. p. 1014.

For expenses of transportation of the fourth of five instalments of goods, provisions, and agricultural implements, per sixth article treaty, twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Calapooias, Molallas, and Clackamas.

Calapooias, Molalla, and Clackamas Indians, of Willamette Valley. — For third of five instalments of the third series of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five, six thousand five hundred dollars.

Vol. x. p. 1144.

Chastas, Scotons, and Umpquas.

Chasta, Scoton, and Umpqua Indians. — For thirteenth 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.

Vol. x. p. 1122.

Chastas, &c.

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. Vol. vii. p. 304.

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. Vol. xi. p. 634.

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. Vol. x. p. 1109.

Chippewas of Lake Superior. — For thirteenth of twenty instalments in coin, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, 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-four, 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-four, 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-four, 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-four, 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-four, one thousand three hundred and twenty dollars.

For eleventh 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 Fort band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty of April seventh, eighteen hundred and sixty-six, one thousand and sixty dollars.

Post, p. 764.

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-four, and third article treaty of April seventh, eighteen hundred and sixty-six, one thousand two hundred 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.

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

Post, p. 765.

Bois Fort band of Chippewas.

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.

Post, p. 764.

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.

Chippewas of the Mississippi.

Vol. vii. p. 592.

Vol. x. p. 1109.

Vol. xiii. p. 694.

Chippewas 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 of 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 of 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 of 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-

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

Vol. ix. p. 904.

thousand dollars.

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.

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.

For thirteenth of thirty instalments of annuity in goods, per third

Vol. x. p. 1165.

article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For thirteenth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For thirteenth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For thirteenth 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, six hundred dollars.

Chippewas of the Mississippi, Pillagers, and Lake Winnebagoshish bands of Chippewas in Minnesota.

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

Vol. xiii. p. 694.

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 of 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. Chippewas of Red Lake, and Pembina tribe of Chippewas. Vol. xiii. pp. 668, 689.

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. Chickasaws. 1799, ch. 11. Vol. i. p. 618.

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. *Post*, p. 773. Attorney-General to inquire into the condition of all funds held in trust for Indian tribes, &c. &c.

Choctaws. — For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars. Choctaws. Vol. vii. p. 99. Vol. xi. p. 614

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. Vol. vii. p. 213.

For permanent annuity for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article Vol. vii. p. 235.

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 Oregons. *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 dollars.

Vol. xii. p. 694.

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 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 hundred dollars.

Creeks. *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-fix*, [fifty-six,] one thousand five hundred dollars.

Vol. vii. p. 36.
Vol. xi. p. 700.

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.

Vol. vii. p. 69.

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.

Vol. vii. p. 287.

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 permanent annuity for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For blacksmith and assistant and shop and tools, during the pleasure of *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, eight hundred and forty dollars.

Vol. vii. p. 419.

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. Creeks.

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 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. *Post*, p. 765.

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. Cherokees.

For provisions and clothing furnished the army under Ap-potho-le-ha-le 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. *Post*, p. 801.

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. Crows.

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.

For this amount to be paid Pierre Chien, in consideration of the friendship and services rendered by him to the Crow Indians, two hundred dollars. Pierre Chien.

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. Delawares. Vol. vii. pp. 188, 327.

Delawares.

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.

Vol. x. p. 1048.

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, fourteenth article, thirty thousand dollars.

Post, p. 797.

D'Wamish and other allied tribes in Washington Territory.

D' Wamish and other allied Tribes in Washington Territory. — For eighth instalment 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 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 establishment and support of a smith and carpenter shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second 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 fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Flatheads and other confederated tribes.

Flatheads and other Confederated Tribes. — For the fourth of five instalments 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.

Vol. xii. p. 976.

For eighth of twenty instalments 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 eighth of twenty instalments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For eighth of twenty instalments for keeping in repair blacksmiths', tin and gun smiths', 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 eighth of twenty instalments 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 eighth of twenty instalments 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 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

therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars. Flatheads and other confederated tribes.

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 fifty-four, two thousand eight hundred and seventy-five dollars. Iowas. Vol. x. p. 1071.

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. Kansas. Vol. ix. p. 842.

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. Kickapoos. Vol. x. p. 1078.

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. Klamath and Modoc Indians.

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. Makah tribe. Vol. xii. p. 940.

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.

Makah tribe.

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.

Menomonees.

Menomonees. — 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 twelfth May, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents.

Vol. ix. p. 952.

Vol. x. p. 1065.

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 twelfth May, eighteen hundred and fifty-four, six hundred dollars.

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 eighteen, and fourth article treaty June fifth, eighteen hundred and fifty four, nine hundred and forty dollars.

Vol. vii. p. 191.

Vol. x. p. 1095.

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.

Vol. vii. p. 459.

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 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.

Miamies of Indiana.

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, 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.

Vol x. p. 1095.

Miamies — Eel River.

Miamies — Eel River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

Vol. vii. p. 51.

Vol. vii. p. 91.

For permanent annuity in goods or otherwise, per third article treaty twenty first August, eighteen hundred and five, two hundred and fifty dollars.

Vol. vii. p. 114.

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.

Molels.

Molel Indians. — For eighth of ten instalments for keeping 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, one thousand five hundred dollars.

Vol. xii. p. 981.

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 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.

Nisqually, Puyallup, and other bands of Indians

Nisqually, Puyallup, and other Tribes and Bands of Indians. — For thirteenth instalment, 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. Vol. x. p. 1134.

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. Nez Perce Indians. Vol. xii. p. 958.

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', 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 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. *Post*, p. 649.

For second of the sixteen instalments for boarding and clothing the children who shall attend the schools, providing the schools and boarding-houses with necessary furniture, the purchase of necessary wagons, teams, agricultural implements, tools, and so forth, and for fencing of such lands as may be needed for gardening and farming purposes for the schools, as per fourth clause fourth article treaty of June nine, eighteen hundred and sixty-three, three thousand dollars.

For salary of two subordinate chiefs, as per fifth article treaty of June nine, eighteen hundred and sixty-three, one thousand dollars.

Nez Perce Indians.

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. Vol. x. p. 1044.

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.

Post. p. 668.

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, one thousand two hundred dollars.

For second of ten instalments, 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 sixth, eighteen hundred and sixty-five, three hundred dollars.

Osages. Vol. vii. p. 242.

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.

Post, p. 686.

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. Vol. xi. p. 623.

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 fifty-five, ten thousand three hundred dollars.

Ottoes and Missourias. Vol. x. p. 1039.

Ottoes 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. Pawnees. Vol. xi. p. 729.

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, 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 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. Poncas. Vol xii. p. 997

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, five thousand 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. Pottawatomies. Vol. vii. p. 51.

For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars. Vol. vii. p. 114.

For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars. Vol. vii. p. 185.

For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars. Vol. vii. p. 317.

For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars. Vol. vii. p. 320.

Vol. vii. p. 379. For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

Vol. vii. p. 432. For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven thousand dollars.

Vol. vii. p. 296. Vol. vii. p. 317. 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.

Vol. vii. p. 379. Vol. ix. p. 855. 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. Vol. vii. p. 105. *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. Vol. vii. p. 425. *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-utes. Vol. xii. p. 972. *Qui-nai-elt 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 support of smith and carpenter shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, 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. Vol. x. p. 1018. *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. *Sacs and Foxes of Mississippi.* — For permanent annuity in goods or

otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars. Vol. vii. p. 85

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. Vol. vii. p. 540.

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. Vol. vii. p. 596. Those in Tamar county, Iowa.

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. Sacs and Foxes of Missouri. Vol. vii. p. 540.

Seminoles. — 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. Seminoles. Vol. xi. p. 702.

For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, (they having joined their brethren west,) per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

For interest on fifty 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, twenty-five hundred dollars. *Post*, p. 756.

For interest on twenty thousand dollars, at the rate of five per centum 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, one thousand dollars.

Senecas. — For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars. Senecas. Vol. vii. p. 161.

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. Senecas of New York. 1831, ch. 26.

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. Vol. iv. p. 442. 1846, ch. 34.

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. Vol. ix. p. 35.

Senecas and Shawnees. — For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars. Senecas and Shawnees. Vol. vii. p. 179.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twen- Vol. vii. p. 352.

tieth July, eighteen hundred and thirty-one, one thousand and sixty dollars.

Shawnees. *Shawnees.* — For permanent annuity for educational purposes, per Vol. vii. p. 51. fourth article treaty third August, seventeen hundred and ninety-five, Vol. x. p. 1066. and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.

For fourteenth 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, in specie, for educational purposes, per fourth Vol. vii. p. 161. article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

Shoshones; Western bands; *Shoshones. Western Bands.* — For fourth 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; *Eastern Bands.* — For fourth 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; *Northwestern Bands.* — For fourth of twenty instalments, to be expended, under the direction of the President, in the purchase of such article[s] as he may deem suitable to their wants, either as hunters or Vol. xiii. p. 663. herdsmen, per third article treaty July thirty, eighteen hundred and sixty-three, five thousand dollars.

Goship bands. *Goship Bands.* — For fourth 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 seven, eighteen hundred and sixty-three, one thousand dollars.

Sioux of Dakotah. Blackfeet band. *Sioux of Dakotah. Blackfeet 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 hun- *Post*, p. 727. dred and sixty-five, seven thousand dollars.

Lower Brule band. *Lower Brule Band.* — For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth *Post*, p. 699. article of treaty of October fourteenth, eighteen hundred and sixty-five, six thousand dollars.

Minneconjon band. *Minneconjon Band.* — For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth *Post*, p. 695. article of treaty of October tenth, eighteen hundred and sixty-five, ten thousand dollars.

Onk-pah-pah. *Onk-pah-pah.* — For second 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 *Post*, p. 738. of treaty of October twentieth, eighteen hundred and sixty-five, nine thousand dollars.

Ogallala band. *Ogallala Band.* — For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article *Post*, p. 747. of treaty of October twenty-eighth, eighteen hundred and sixty-five, ten thousand dollars.

For this amount, for the Brulé 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. Sans Arcs band. *Post*, p. 731.

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. Two Kettles band. *Post*, p. 723.

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 twenty-eighth, eighteen hundred and sixty-five, ten thousand dollars. Upper Yanktonais band. *Post*, p. 743.

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. Yanktonais band. *Post*, p. 734.

Sioux of Dakotah. — 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. Sioux of Dakota. *Post*, pp. 694–748. See p. 522.

Lower Brules. — 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. Lower Brules. *Post*, p. 699.

For pay of farmer, per sixth article treaty of October fourteen, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, 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. Two Kettles. *Post*, p. 723.

Yanktonais. — 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 for 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. Yanktonais. *Post*, p. 735.

Sans Arcs. — For first of five instalments, being twenty-five dollars for each lodge or family located on lands for agricultural purposes, (thirty- Sans Arcs. *Post*, p. 731.

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.

Six Nations of New York. Vol. vii. p. 46.

Six Nations of New York. — For permanent annuity in c[l]othing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars.

S'Klallams. Vol. xii. p. 934.

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 Utahs. Vol. xiii. p. 675.

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). Vol. x. p. 1027.

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 Calapooias, of Umpqua Valley, Oregon. Vol. x. p. 1126.

Umpquas and Calapooias, 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. Vol. xii. p. 947.

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, and

stationery for schools, and furniture for the employees, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars. Walla-Walla, Cayuse, and Umatilla tribes.

For eighth 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 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 hundred 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. Winnebagoes. Vol. vii. p. 545.

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. Vol. ix. p. 878.

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. Wall Pah-Pe tribe of Snake Indians. *Post*, p. 683.

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. Yakama Nation. Vol. xii. p. 953.

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 superintendent 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 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 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

Yakama Nation.

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.

Yancton Sioux. Vol. xi. p. 744.

Yancton 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 Indian service in Arizona;

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;

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;

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;

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;

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;

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 Territory;

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 Territory;

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.

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. Incidental expenses in Utah Territory.

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 *sittle* [settle] the Indians of said Territory in Uintah valley," to be expended in removing and settling the Indians in said valley, fifteen thousand dollars. 1864, ch. 77. Vol. xiii. p. 63.

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. 1865, ch. 127. Vol. xiii. p. 558

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. Miscellaneous. Colonizing, &c. Texas Indians on the Choctaw leasehold.

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 nine dollars and ninety-seven cents. Allotting reserved tracts to proper persons. Vol. vii. p. 330.

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. Expenses of Southern Cherokees in negotiating recent treaty.

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, 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 thousand eight hundred dollars. Wichitas and other affiliated bands.

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. California. Physicians, farmers, &c. on reservations.

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. Cattle.

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. Saw, &c. mill for Round Valley reservation.

For defraying the expenses of the removal and subsistence of Indians Removal and subsistence of

Indians in Oregon and Washington.

in Oregon and Washington Territory, (not parties to any treaty,) and for pay of necessary employees, fifty thousand dollars.

Navajo Indians in New Mexico.

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.

Rations, &c. not to be furnished after, &c. unless, &c.

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.

Pottawatomies and Winnebagoes in Wisconsin.

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.

Expenses of Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux or Dakota Indians.

For subsistence, clothing, and general incidental expenses of the Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux or Dakota Indians, at their new homes, one hundred thousand dollars.

Interest on non-paying stock held in trust for Indian tribes;

For payment of interest on one million six hundred and ninety thousand three hundred 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 one hundred and fifty-three dollars.

on abstracted bonds, Cherokee school and national funds.

For payment of interest on fifteen thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, for the Cherokee school fund, nine hundred dollars.

For payment of interest on sixty-eight 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.

Delivery of annuities to Indians in Minnesota and Michigan;

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.

Pawnees, Poncas, and Yancton Sioux;

For insurance, transportation, and necessary expenses of the delivery to the Pawnee, Ponca, and Yancton Sioux Indians of annuity goods and provisions, ten thousand dollars.

Sioux of Dacota Indians.

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-seven, four thousand nine hundred and one dollars and eighty-two cents.

Ante, p. 509.

Flatheads.

Flatheads. — 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 instalment for beneficial objects, under treaty of July sixteenth, eighteen hundred and fifty-five, one thousand dollars.

Vol. xii. p. 976.

Qui-nai-elts and Qui-leh-utes.

Qui-nai-elts and Qui-leh-utes. — 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 twenty-five thousand dollars, stipulated to be paid the Qui-nai-elts and Qui-leh-utes, as per fourth article treaty of July first, eighteen hundred and fifty-five, three hundred dollars.

Vol. xii. p. 972.

Vaccination.

For expenses attending the vaccination of Indians, two thousand five hundred dollars.

Locating Colorado River In-

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.

dians in Arizona, and canal for irrigation. 1865, ch. 127. Vol. xiii. p. 559.

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.

Rescue of prisoners from Indians, and arrest of persons charged with crimes against Indians.

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 citizens peacefully 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.

No money or annuity to be paid to any Indian tribe engaged in hostilities against the United States, &c. since, &c.; nor until new appropriations are made. Commissioner to report to Congress any case of hostilities by any tribe.

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.

Officer in charge of Indian bureau to report to Congress tabular statement of separate objects of expenditure, &c.

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.

Appointment of Sub-Indian agents whose salaries are over $1000 a year

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.

Appropriations for Miamies of Indiana, to whom to be paid. Vol. x. p. 1095.

APPROVED, March 2, 1867.

CHAP. CLXXIV. — *An Act to amend certain Acts in Relation to the Navy.* 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 "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

Admiral to be the ranking officer of navy. 1864, ch. 6. Vol. xiii. p. 420. 1866, ch. 231. *Ante*, p. 222.

Rank, pay, and allowances of secretary of admiral.

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.

Cadet engineers; restrictions as to age and certain qualifications when appointed removed.
1864, ch. 252, §§ 3, 4.
Vol. xiii. p. 393.

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.

Officers of volunteer naval service transferred to regular navy or marine corps to be credited with their sea service.
Marine officers.

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.

Storekeeper at Naval Academy, how to be detailed; may procure clothing, &c. for midshipmen.

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 necessaries 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.

Summary courts-martial on petty officers and persons of inferior ratings.
1855, ch. 136.
Vol. x. p. 627.

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 proceedings by the commander-in-chief, when present in port, and, in his absence, that of the senior officer present, in all cases before carrying the sentence into execution; and in all cases where the sentence involves loss of pay, that part of such sentence shall be subject to the approval or disapproval of the Secretary of the Navy.

Sentence.

Disabled persons, who have served as enlisted persons in the navy or marine corps for twenty years, to receive from naval pension fund half of their rating when discharged.
1862, ch. 204, § 11.
Vol. xii. p. 607.
How and by whom to be paid.

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

Such persons so serving for not less than ten years, &c. may apply for aid from surplus income of naval pension fund.

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.

Board to examine applicants.

Limit of allowance.

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.

Rank and pay of commandant of marine corps.

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 alre[a]dy 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.

Number of midshipmen in Naval Academy.

Reduction not to affect present appointments or vacancies.

Repeal of part of acts 1862, ch. 164, and ch. 183, § 11, vol. xii. pp. 565, 585.

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.

Promotion of officers on retired and reserved lists.

Pay.

Proviso.

APPROVED, March 2, 1867.

CHAP. CLXXV. — *An Act relating to Brevets in the Army of the United States.* 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 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.

Brevet rank may be conferred on officers in the army for gallant conduct, &c. in the volunteer service.

APPROVED, March 2, 1867.

CHAP. CLXXVI. — *An Act to establish a uniform System of Bankruptcy throughout the United States.* March 2, 1867.

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-

District courts of the United States made courts of bankruptcy.

Jurisdiction.

Courts always open.

Authority of judge in term time or vacation.

Jurisdiction in matters of bankruptcy.

ing between the bankrupt and any creditor or creditors who shall claim any debt or demand under the bankruptcy; to the collection of all the assets of the bankrupt; to the ascertainment and liquidation of the liens and other specific claims thereon; to the adjustment of the various priorities and conflicting interests of all parties; and to the marshalling and disposition of the different funds and assets, so as to secure the rights of all parties and due distribution of the assets among all the creditors; and to all acts, matters, and things to be done under and in virtue of the bankruptcy, until the final distribution and settlement of the estate of the bankrupt, and the close of the proceedings in bankruptcy. The said courts shall have full authority to compel obedience to all orders and decrees passed by them in bankruptcy, by process of contempt and other remedial process, to the same extent that the circuit courts now have in any suit pending therein in equity. Said courts may sit, for the transaction of business in bankruptcy, at any place in the district, of which place and the time of holding court they shall have given notice, as well as at the places designated by law for holding such courts.

Courts may sit in any place in the district.

Circuit courts to have general superintendence and jurisdiction; may act as in equity.

SEC. 2. *And be it further enacted*, That the several circuit courts of the United States, within and for the districts where the proceedings in bankruptcy shall be pending, shall have a general superintendence and jurisdiction of all cases and questions arising under this act; and, except when special provision is otherwise made, may, upon bill, petition, or other proper process, of any party aggrieved, hear and determine the case in a court of equity. The powers and jurisdiction hereby granted may be exercised either by said court or by any justice thereof in term time or vacation.

Concurrent jurisdiction with district courts.

Said circuit courts shall also have concurrent jurisdiction with the district courts of the same district of all suits at law or in equity which may or shall be brought by the assignee in bankruptcy against any person claiming an adverse interest, or by such person against such assignee, touching any property or rights of property of said bankrupt transferable to or vested in such assignee; but no suit at law or in equity shall in any case be maintainable by or against such assignee, or by or against any person claiming an adverse interest, touching the property and rights of property aforesaid, in any court whatsoever, unless the same shall be brought within two years from the time the cause of action accrued, for or against such assignee: *Provided*, That nothing herein contained shall revive a right of action barred at the time such assignee is appointed.

Suits to be brought within two years, &c.

Rights barred not revived hereby.

Administration of the law.

OF THE ADMINISTRATION OF THE LAW IN COURTS OF BANKRUPTCY.

One or more registers in each Congressional district.

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 counsellor 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.

Who eligible.

Bond.

Oath. 1862, ch. 128. Vol. xii. p. 502.

Registers; their powers and duties.

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.

Docket.

District clerk.

Registers may interchange duties.

What registers may not do.

Registers to state issues of fact for the court;

not to be of counsel in any suit;

nor assignee, &c.

Fees of registers.

District judge may direct register to attend at any place in district to hear voluntary applications, &c.

Travelling and incidental expenses, and how to be paid.

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 set[tled] 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.

Depositions and other acts to be reduced to writing.

Removal of registers, filling vacancies.

During proceedings under this act, any party may take the opinion of district judge upon any matter arising therein. Proceedings in such cases.

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.

Judgment of court to be final, unless, &c.

Agreement in special cases.

Parties and witnesses summoned before register to attend, &c. Contempt.

Penalty for perjury.

Persons refusing, &c. to obey order of register to be referred to judge.

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 subpœna, and all persons wilfully 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.

OF APPEALS AND PRACTICE.

Appeals and writs of error.

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 man[ner] 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.

Appeals from district to circuit court;

when to be entered;

may be waived.

Writ of error.

No appeal or

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.

writ of error to the Supreme Court, unless, &c.

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: —

General orders to regulate the practice and procedure in bankruptcy;

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;

duties of officers of 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;

fees, costs, and charges.

For regulating the practice and procedure upon appeals;

appeals;

For regulating the filing, custody, and inspection of records;

records;

And generally for carrying the provisions of this act into effect.

generally;

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.

may be rescinded, or varied, or new ones made; to be reported to Congress.

VOLUNTARY BANKRUPTCY — COMMENCEMENT OF PROCEEDINGS.

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

Who may apply for the benefit of this act.

Petition.

Schedule of debts and creditors to contain what.

Inventory of estate.

Filing of the petition to be an act of bankruptcy.

Oath on filing petition.

Warrant, when to issue.

Marshal to act as messenger.

Notice.

Notice, how sent; 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:

to state that warrant has issued; First. That a warrant in bankruptcy has been issued against the estate of the debtor.

payment of debts and transfer of property forbidden; 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.

meeting of creditors, their names, &c. 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 holden 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.

Register to preside at meetings. Return of warrant. 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.

Proceedings if notice is insufficient, or debtor dies.

Assignees, choice, &c. of; 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 in writing his acceptance of the trust, 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 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.

to signify acceptance; subject to approval; new election; to give bond, when, &c.; failing to give bond, to be removed.

Assignment; 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 thereupon, by 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 mesne 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

to relate back, and how to operate. What exempt from the assignment.

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

What exempt from assignment.

Exemption, how to operate.

Certain mortgages of personal property not to be invalidated.

What to be vested in the assignee by the adjudication of bankruptcy, &c.

Powers of assignee.

Evidence of his title.

Property in trust not to pass.

Suits against assignees not to be maintained without previous notice.

Books of account.

Suits not to be abated by death, &c.

Performance of conditional contracts.

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 certified copy thereof, shall be evidence thereof in all courts.

Debtor to make conveyances.

Notice of appointment of assignee.

Assignment to be recorded.

Record to be evidence.

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.

Assignee to make demand, &c;

to sell, &c.

Court may make order.

Assignee to keep accounts.

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 commencement 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 prosecute 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.

Assignee to have same power as debtor to recover, &c.;

may prosecute pending suits.

Provisions as to suits pending.

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 appropriate 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 delayed by litigation or other cause, the court may direct the temporary investment of the money belonging to such estate in securities to be approved 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 exceeding 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

Assignee to deposit moneys received, and how;

to keep effects of the estate separate.

Temporary investment by direction of court.

Assignee to give notice of meetings and dividends.

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.

Assignee may retain what; may submit to arbitration, &c.; may settle controversies.

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 surety on the bond given by the assignee. When, by death or otherwise, the number of assignees is reduced, the estate of the debtor not lawfully disposed of shall vest in the remaining assignee or 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, his executors or administrators, upon request, and at the expense of the estate, 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 when 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.

Assignee may be removed by court; or by creditors; may resign. Vacancies, how filled. Assignee not released by resignation, &c. from closing up his trust, &c. If number of assignees is reduced, estate to vest in remaining ones. Conveyances, &c. to new assignees. Court may make orders. Who cannot vote for, or be chosen, assignee. Assignee may be punished for contempt for refusing to obey a lawful order 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

Debts and proof of claims. Debts provable. Liabilities as drawer, indorser, &c.

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 ascertained 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 ascertained. Any person liable as bail, surety, guarantor, or otherwise for the bankrupt, who shall have paid the debt, or any part thereof, in discharge 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 damages 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.

Contingent debts and liabilities.

Bail, sureties, guarantor, &c.

Rent, &c.

Unliquidated damages in contracts or torts.

No other debts provable.

Mutual debts and credits.

Set off.

Proviso.

Persons having a lien or security, to prove only balance.

Where value of security exceeds the debt.

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 allowed 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 bankrupt, 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 agreement 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.

Creditors proving debts to be held to have waived all rights of action, &c.

Creditors, whose debts are provable, not to prosecute suits

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 commenced 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; and any such suit or proceedings shall, upon the application of the bankrupt, 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 provided, 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 purpose 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.

to judgment until, &c.

Suits to be stayed, &c.

Liability of bankrupt on distinct contracts, &c.

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 bankrupt 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 influencing 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, influenced, or controlled, and no claim shall be allowed unless all the statements 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 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 satisfactory 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 creditors who have proved their claims, in the order in which such proof is

Proofs of debts of resident creditors;

of non-residents.

Claims, how to be verified.

Deposition in writing, on oath.

No claim allowed, unless, &c.

Oath to be made by and before whom.

Other evidence.

Claims of corporations, how verified.

Claim to be sent to assignee if proof satisfies the register.

His duty as to such claim.

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.

Examination of bankrupt.

Summoning of persons.

Proceedings when before election of assignee, judge doubts validity of claim.

Persons accepting preferences not to prove debt or receive dividend until, &c.

List of debts proved.

Creditors may act by attorney.

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 caused 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 first 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.

Proceedings on appeals from decree of district court disallowing claims.

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, rejecting 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.

Final judgment of circuit court conclusive.

Costs of appeal.

Evidences of debt left in court may be delivered, and how.

OF PROPERTY PERISHABLE AND IN DISPUTE.

Proceedings in regard to perishable property;

where the title is 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.

Proceeds of sales.

Proviso.

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.

Examination.

Bankrupt may be examined upon oath.

Examination, how conducted.

Witnesses compelled to attend.

Proceedings if bankrupt is imprisoned, or under disability.

Bankrupt to be subject to order of court;

to do all acts, &c.

If bankrupt is without the district, &c. and offers to attend.

Bankrupt may correct schedule of creditors.

Wife of bankrupt may be required to attend, &c.

If she does not attend.

Bankrupt not liable to arrest, &c.

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 ser-

Distribution of bankrupt's estate.

No priority except certain wages.

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.

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.

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

Assignee to submit his account and notify creditors.

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 he 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 execution of his trust, in any case, the assignee shall be entitled to an allowance 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 proceedings as if the meeting had been duly held. In the order for a dividend, under this section, the following claims shall be entitled to priority or preference, and to be first paid in full in the following order: —

Accounts of assignee.

Dividend.

Allowance to assignee for services.

Commissions.

If assignee has not sufficient funds to defray expenses, he shall not be obliged to proceed.

Proceedings when meetings of creditors are not called in due time.

In dividends claims to have priority.

First. The fees, costs, and expenses of suits, and the several proceedings in bankruptcy under this act, and for the custody of property, as herein provided.

Fees, costs, &c.;

Second. All debts due to the United States, and all taxes and assessments under the laws thereof.

debts due the United States.

Third. All debts due to the State in which the proceedings in bankruptcy are pending, and all taxes and assessments made under the laws of such State.

due the 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 bankruptcy.

wages;

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 contained in this act shall interfere with the assessment and collection of taxes by the authority of the United States or any State.

debts due persons entitled to priority.

Taxes not affected.

OF THE BANKRUPT'S DISCHARGE AND ITS EFFECT.

SEC. 29. *And be it further enacted*, That at any time after the expiration 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 newspapers 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 appointed for that purpose, and show cause why a discharge should not be granted to the bankrupt. No discharge shall be granted, or, if granted,

Discharge of bankrupt, and its effect.

What will prevent or avoid a 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.

Persons once discharged under this act, not to be again discharged, unless, &c.

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.

Creditors opposing discharge.

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: — Certificate of discharge.

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. Certain debts not discharged by the act. In proceedings commenced after, &c. discharge not to be granted to debtor whose assets do not pay fifty per cent.

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 hæc 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 Discharge to release the bankrupt from all demands provable against the bankrupt. Validity of discharge may be contested. Proceedings in such case. Notice to bankrupt. Finding of the court.

fraudulent acts and all of them, set forth as aforesaid, are not proved, or that they were known to said creditor or creditors before the granting of said discharge, then judgment shall be rendered in favor of the bankrupt, and the validity of his discharge shall not be affected by said proceedings.

PREFERENCES AND FRAUDULENT CONVEYANCES DECLARED VOID.

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 who 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.

Bankruptcy of partnerships and 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

Joint and separate estate to be taken.

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.

Assignee to keep accounts of estate separate.

Estate how distributed.

Discharge.

Jurisdiction where partners reside in different districts.

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 proceedings 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 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.

This act to apply to what corporations and joint stock companies.

Proceedings.

Fraudulent conveyances and preferences.

No allowance or discharge.

Distribution of estate.

OF DATES AND DEPOSITIONS.

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.

Filing of petition to be deemed the commencement of proceedings.

Records.

Dockets open to inspection.

Copies.
Evidence, how may be taken.
Witnesses.
Books.

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.

Involuntary bankruptcy.
What to be deemed acts of bankruptcy.
Proceedings.
Petition, &c.

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 has been actually imprisoned for more than seven days in a civil action, founded on contract, for the sum of one hundred dollars or upwards; 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.

Debtor to be notified to appear and show cause.

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 holden 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 mean time, 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 issue 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 further 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.

Debtor may in the mean time be enjoined;

may be detained by marshal.

Service upon debtor of petition and order to show cause.

Further proceedings.

SEC. 41. *And be it further enacted*, That on such return day or adjourned 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 proceed 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 ascertain 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 existence of such liens were the sole ground of the proceeding, the proceedings shall be dismissed and the respondent shall recover costs.

Allegations of petition to be summarily heard.

Proceedings to be dismissed if debtor proves, &c.

SEC. 42. *And be it further enacted*, That if the facts set forth in the petition are found to be true, or if default be made by the debtor to appear pursuant to the order, upon due proof of service thereof being made, 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 distribution of the property of the debtor upon his own petition. The order of adjudication of bankruptcy shall require the bankrupt forthwith, or within such number of days, not exceeding five after the date of the order or notice thereof, as shall by the order be prescribed, to make and deliver, or transmit by mail, post-paid, to the messenger, a schedule of the creditors 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 adjudication shall be forthwith served on him by delivery or publication in the manner hereinbefore provided for the service of the order to show cause; and if the bankrupt is absent or cannot be found, such schedule and inventory shall be prepared by the messenger and the assignee from the best information they can obtain. If the petitioning creditor shall not appear and proceed on the return day, or adjourned day, the court may, upon the petition of any other creditor, to the required amount, proceed

Debtor to be declared a bankrupt, if, &c.

Warrant to issue.

Order to require what.

Proceedings if debtor has failed to appear.

If petitioning creditor does not appear.

to adjudicate on such petition, without requiring a new service or publication of notice to the debtor.

OF SUPERSEDING THE BANKRUPT PROCEEDINGS BY ARRANGEMENT.

Proceedings in bankruptcy may be superseded by arrangement.

Creditors to determine, &c.

Trustees.

Court to approve.

Consent of creditors to be filed.

Conveyance to trustees.

Effect of these proceedings.

Rights and powers of trustees.

If resolution is not approved, &c.

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 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 bankruptcy 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.

Penalty against bankrupts for secreting or concealing property; for destroying and mutilating books, &c.

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 pretence 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.

Penalty against judges and officers for offences under this act.

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.

Penalty for forgery, &c.

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.

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.

to have priority of payment.

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*t* is issued, shall pay the same, and the court may issue an execution against him to compel payment to the register.

Before dividend is ordered, assignee to pay to messenger certain fees.

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.

Court may prescribe tariff of fees.

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.

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 thanksgiving, or on the Fourth of July, in which case the time shall be reckoned exclusive of that day also.

Jurisdiction of United States courts in the District of Columbia and Territories.

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.

In districts not in organized circuits, judge to exercise power of circuit court.

When act to take effect.

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.

Proviso.

APPROVED, March 2, 1867.

CHAP. CLXXVII.—*An Act for the Relief of the Inhabitants of Cities and Towns upon the Public Lands.* March 2, 1867.

Town authorities, &c. may enter public lands occupied as town sites, at minimum price, in trust, &c.

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 incorporated, 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 embrace 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 additional 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

Trust, how executed.

Entry, &c. when to be made;

to include what;

upon surveyed lands. 1820, ch. 51. Vol. iii. p. 566.

Amount of land that may be entered.

Proviso.

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, cinnabar, or copper.

Certain acts of trustees to be void.

Regulations.

This act not to apply to certain reservations;

nor to mines of gold, &c.

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.

Albany, New York, made a port of delivery.

Surveyor.

1831, ch. 87. Vol. iv. p. 480.

Bond, fees, and salary.

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 and restrictions applicable.

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.

Privileges of former acts, &c. extended to this port.

1846, ch. 84. Vol. ix. p. 53.

1854, ch. 30. Vol. x. p. 270.

Approved, March 2, 1867.

March 2, 1867.

CHAP. CLXXIX. — *An Act to create the Office of Surveyor-General in the Territory of Montana, and establish a Land Office in the Territories of Montana and Arizona.*

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 he 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.

Surveyor-general for Montana.

Salary and duties.

Clerk hire, office rent, and fuel.

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

Montana and Arizona land districts established.

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.

Registers and receivers; their duties and compensation.

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.

Location of offices.

SEC. 4. *And be it further enacted*, That the Territory of Arizona is hereby attached to the surveying district of California.

Arizona attached to surveying district of California.

APPROVED, March 2, 1867.

CHAP. CLXXX. — *An Act supplementary to the several Acts of Congress abolishing Imprisonment for Debt.*

March 2, 1867.

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.

State laws for discharge from imprisonment, &c. for debt, to apply to process from courts of the United States.

Oath, notice, &c.

Proceedings to be had before commissioners.

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 behoof, 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.

The iron-clad Onondaga may be transferred to George Quintard.

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.*

March 2, 1867.

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-

Monthly mail steamship service between San Francisco and Honolulu.

Proposals to be advertised for.

Contract with lowest bidder.

tween 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.

Certain bids not to be considered.

Steamships to be inspected before they are accepted for the service.

Contract under this act, when to go into effect.

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.

Stipulations thereof.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXXXIII. — *An Act to amend an Act entitled "An Act concerning the Fire Department of Washington City," approved February eighteen, eighteen hundred and sixty-seven.*

1867, ch. 48. *Ante*, p. 397.

Right to use and occupy the Union engine-house, repealed.

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 entitled "An act concerning the fire department of Washington city," approved February eighteen, eighteen hundred and sixty-seven as provides for the use and occupation of the Union engine-house by the city of Washington, is hereby repealed.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXXXIV. — *An Act to extend the Provisions of an Act entitled "An Act for the final Adjustment of private Land Claims in the States of Florida, Louisiana, and Missouri, and for other purposes."*

Provisions of act, 1860, ch. 188. Vol. xii. p. 85, extended for three years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes," approved June twenty-second, eighteen hundred and sixty, be, and the same are hereby, extended, and the same shall continue in force for a period of three years from and after the passage of this act.

APPROVED, March 2, 1867.

CHAP. CLXXXV. — *An Act relating to Appeals and Writs of Error to the Supreme Court.*

March 2, 1867.

See *Ante*, p. 385.

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.

Appeals or writs of error brought from districts in which the sessions of the courts have been interrupted, &c. to be valid, &c; may be brought within one year.

Act not to apply to certain cases.

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 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.

Appeals from district court to circuit court may, if parties agree, be disposed of at circuit court held by district judge, &c.

APPROVED, March 2, 1867.

CHAP. CLXXXVI. — *An Act to regulate the Disposition of an irregular Fund in the Custody of the Freedmen's Bureau.*

March 2, 1867.

Preamble.

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, holden 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.

Commissioner of bureau of refugees, &c. constituted the custodian of retained bounty fund, and appointed trustee; may invest the fund, and for what purpose Provisos.

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 uninvested 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. CLXXXVII. — *An Act to abolish and forever prohibit the System of Peonage in the Territory of New Mexico and other Parts of the United States.*

Peonage declared unlawful, and abolished.

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;

Acts establishing it, &c. void.

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;

Penalty for holding, &c. a person in peonage.

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.

Foregoing section to be enforced.

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;

Penalty for obstructing its enforcement.

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.*

From proceeds of fines, penalties, &c. under customs laws, deductions to be made of charges, &c.;

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, and forfeitures incurred under the provisions of the laws relating to the customs, there shall be deducted such charges and expenses as are by law in each case authorized to be deducted;

of an amount equal to the duties in coin.

and in addition, in case of the forfeiture of imported merchandise of a greater value than five hundred dollars on which duties have not been paid, or in case of a release thereof, upon payment of its appraised value, or of any fine or composition in money, there shall also be deducted an amount equivalent to the duties in coin upon such merchandise, (including the additional duties, if any,) which shall be credited in the accounts of the collector as duties received, and the residue of the proceeds aforesaid shall be paid into the treasury of the United States, and distributed, under the direction of the Secretary of the Treasury, in the manner following, to wit;

Residue, how distributed;

one half to United States;

one half to the United States;

one fourth to informer;

one fourth to the person giving the information which has led to the seizure, or to the recovery of the fine or penalty, and if there be no informer other than the collector, naval officer, or surveyor, then to the officer making the seizure;

one fourth to collector, naval officer, and surveyor, equally.

and the remaining one fourth to be equally divided between the collector, naval officer, and surveyor, or such of them as are appointed for the district in which the seizure has been made, or the fine or penalty incurred, or, if there be only a collector, then to such collector.

Where officer of revenue cut-

But where any fine, penalty, or forfeiture, incurred by virtue of the laws relating to customs, shall be recovered in

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 made, be 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.

ter is informer, residue how divided.

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.

Judge of district court may issue warrant to seize invoices, books, &c. and produce them before the court, if, &c.

Such invoices, books, &c. to be subject to order of judge, and may be retained.

Examination allowed.

Warrant not to issue, unless, &c.; to be returned.

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.

Liens for freight on imported merchandise.

Merchandise not to be delivered from warehouse until, &c.

Freight to be paid in case of sale after forfeiture.

SEC. 4. *And be it further enacted*, That the *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.

Repeal of act, 1863, ch. 76, § 7. Vol. xii. p. 740,

and of act, 1866, ch. 201, § 17. *Ante*, p. 182.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXXXIX. — *An Act granting Lands to aid in the Construction of a Railroad from the City of Stockton to the Town of Copperopolis, in the State of California.*

Right of way through public lands granted to the Stockton and Copperopolis R. R. Co.

Route.

Material from adjacent lands.

Extent of grant.

Ground for stations, &c.

Condition of grant.

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 road 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.

Grant of public land to California to aid in construction of said road.

Alternate sections.

Lands in lieu of those reserved, &c.;

those containing gold, silver, or copper, excepted from act.

"Mineral" not to include iron or coal.

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 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, be, and the same are hereby, excluded from the operations of this act, and in lieu thereof a like quantity of unoccupied and unappropriated lands, in odd-numbered sections, within the said twenty miles of the line of said road, may be selected as above provided: *And provided further*, That the word "mineral," when it occurs in this act, shall not be held to include iron or coal.

Patents to issue for lands as sections of ten consecutive miles of road are ready for service.

Commissioners.

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.

Commissioners to be paid by the 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.

Railroad, how to be constructed;

gauge.

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.

Lands on both sides of road to be surveyed.

Odd sections not liable to entry, &c. except, &c.

1841, ch. 16. Vol. v. p. 453. 1862, ch. 75. Vol. xii. p. 392

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.

Conditions of grant.

Time of commencing and completing road.

Unpatented lands to revert.

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.

If conditions of grant remain broken one year, Congress may complete the 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 therefor, whenever the same shall be required by the government of the United States.

Railroad made a post-route and military road.

Transportation for the United States to be free.

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

Conditions of grant to be accepted, how and when.

shall be served on the President of the United States, and filed in the office of the Secretary of the Interior.

This act to be void unless, &c. Subscription to and payment of stock.

SEC. 10. *And be it further enacted*, That unless the said Stockton and Copperopolis Railroad Company shall obtain bona fide subscription to the stock of said company to the amount of two hundred thousand dollars, with five per centum paid within two years after the passage and approval of this act, it shall be null and void.

Act may be repealed, &c.

SEC. 11. *And be it further enacted*, That Congress may, at any time, having due regard for the rights of said railroad company, add to, alter, amend, or repeal this act.

Town and village lots exempted.

SEC. 12. *And be it further enacted*, That lots in towns and villages shall be exempt from the provisions of this act.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CXC. — *An Act to incorporate the Joint Stock Company of the Young Men's Christian Association of Washington.*

Joint Stock Company of the Young Men's Christian Association incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That S. P. Chase, O. O. Howard, John R. Elvans, S. L. Brown, H. D. Cooke, James Harlan, George P. Fisher, O. H. Browning, James A. Ekin, A. R. Shepherd, B. H. Stinemetz, William Ballantyne, A. C. Richards, F. A. Lutz, L. Clephane, and Samuel Norment, all of the District of Columbia, and their associates and successors, are hereby erected into a body corporate in deed and in law, by the name, style, and title of the Joint Stock Company of the Young Men's Christian Association, for the purpose of erecting a suitable building for the meetings of the association, with a hall, free reading rooms, and library for the employees of the public departments and the citizens of the District of Columbia.

Objects.

Capital stock.

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 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.

Powers of corporation.

Limit to value of property.

Seal.

Directors.

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.

By-laws.

Directors to receive rents, &c. and pay interest on stock.

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.

Surplus of rents, &c. above interest, how to be applied.

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.

When whole stock is purchased and absorbed, real, &c. estate to be transferred to Young Men's Christian Association.

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.

Corporation to be dissolved.

Income, how then to be applied.

Property and income exempt from taxation.

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.

Act may be repealed.

SEC. 8. *And be it further enacted*, That Congress may alter, amend, or repeal this act at will.

APPROVED, March 2, 1867.

CHAP. CXCI. — *An Act to establish certain Post-Roads.*

March 2, 1867.

Post-routes established in Arizona;

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;

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;

COLORADO.

From Badito to Spanish Peaks.

From Pueblo to Homosilla.

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.

ILLINOIS.

From Oneida to Woodhull.

From Albion to Buxton.

From Frederick, via Browning, Sheldon's Grove, Bluff City, Marbletown, 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.

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;

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 Perrysville to Danville.
From Rockville, via Bruin'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;

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;

KANSAS.

From Osage Mission, via Sherman City and Hamlin, to Petersville.
From Marmaton, via Cato, Owego, Logansport, Lafayette, and Wheaton, to Cherokee City.
From Fort Scott, via Allington, Reno, Worcester, Pleasant View, and Clarksville, to Petersville.
From Troy, via Doniphan and Atchison, to Leavenworth.

Kentucky;

KENTUCKY.

From Brownville to Rocky Hill.
From Falmouth to Milford.

Maryland;

MARYLAND.

From Middleville, via Leighton, to Wayland.
From Leonardtown to Hollywood.

Michigan;

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.

MINNESOTA.

From Sunrise City to Fish Lake.
From Forest City, via Mananah, Ewing, and Nichols to New London.
From Winnebago City to Jackson.

Post-routes established in Minnesota;

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 Yancton, in *Dakato* [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 Owatouna 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 Lanthear, to Bassett.
From West Union to Long Prairie.
From Minneapolis, via Richfield, Bloomington, Bloomington Ferry, and Eden Prairie, to Shakopee.

Missouri;

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 Wellsville.
From Danville, via Big Spring, Dry Fork Mills, Rhineland, Loutre Island, to Herman.

Nebraska;

NEB[R]ASKA.

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;

NEW MEXICO.

From Fort Cummings, via Fort Bayard, to Penos Altos.

Nevada.

NEVADA.

From Dayton, via Hot Springs, to Pine Grove.

Post-routes established in New York;

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;

NORTH CAROLINA.

From Hillsdale to Greensboro'.

Ohio;

OHIO.

From Columbus to Beckett's Store.

From Young Hickory, via Sand Hollow, to Bristol.

From Caledonia to Delaware.

Oregon;

OREGON.

From Salem, via Howell Prairie, to Silverton.

Pennsylvania;

PENNSYLVANIA.

From Roxbury, via Amberson's Valley, to Dry Run.

From Sugar Grove, in Pennsylvania, to Watts'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 Blossburgh, via Ogdensburgh, to mouth of Roaring Branch.

From Hollidaysburgh, via L. Bennett's Mills, to Whitney's Corners.

From Karthon'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;

TENNESSEE.

From Due West, via Level Land, to Temple of Health.

Utah;

UTAH.

From Beaver, in Utah, via Minersville and Meddowsith, to Paranagat, in Nevada.

Virginia.

VIRGINIA.

From Trevilian's Depot to Green Springs.

WEST VIRGINIA.

Post-routes established in West Virginia;

From New Port, via Salt Pond, Weisiger'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.

Wisconsin;

From Milwaukee, via New Koelu, to Paynesville.

From Rural, via Waupaca, Ogdensburg, Little Wolf, North Royalton, and Northport, to New London.

KANSAS.

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, Pattawatomie County, by way of Allen, Wabaunsie 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 Sabetha, 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, Pattawatomie 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, Kennekuk, Atchison County, and Troy, Doniphan County.

Missouri River Railroad from Wyanandotte to Le[a]venworth.

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.

Post-routes in Kansas.

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 Capitol Insurance Company.*

National Capitol Insurance Company incorporated.

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. Reznor, 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

Powers.

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

Seal.

successors shall and may have a common seal, and may change the same

Directors, by-laws, &c.

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.

Insurance upon lives, and against accidents.

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.

Directors.

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

Elections.

directors shall be elected by ballot from among the members and stockholders of said company, in general meeting assembled, at such times and

Notice.

places as said corporation in its by-laws shall 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

Ballot.

Proxies.

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

Vacancies.

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

Annual meetings.

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

President and other officers.

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. Funds, how invested. Liability of stockholders.

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 insured 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. Suits to collect assessments upon stock.

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. Executive committee.

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 insurances. Capital stock. $150,000 to be paid in before 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. Dividends. Proviso.

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. Location of company. Agencies.

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. Annual report. Statement to be published, of profits, losses, debts, funds, &c.

SEC. 11. *And be it further enacted*, That Congress may at any time alter, amend, or revoke the said incorporation. Act may be repealed.

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. Robbery and larceny punished.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CXCIV. — *An Act to provide Ways and Means for the Payment of Compound Interest Notes.*

Temporary loan certificates may be issued to redeem compound interest notes. 1862, ch. 33, § 4. Vol. xii. p. 346.

Rate of interest.

Principal and interest payable in lawful money.

Certificates may be held by banks as reserve. 1864, ch. 106, §§ 31, 32. Vol. xiii. pp. 108, 109.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of redeeming and retiring any compound interest notes outstanding, the Secretary of the Treasury is hereby authorized and directed to issue temporary loan certificates in the manner prescribed by section four of the act entitled "An act to authorize the issue of United States notes and for the redemption or funding thereof, and for funding the floating debt of the United States," approved February twenty-fifth, eighteen hundred and sixty-two, bearing interest at a rate not exceeding three per centum per annum, principal and interest payable in lawful money on demand; and said certificates of temporary loan may constitute and be held, by any national bank holding or owning the same, as a part of the reserve provided for in sections thirty-one and thirty-two of the act entitled "An act to provide a national currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof," approved June three, eighteen hundred and sixty-four: *Provided*, That not less than two fifths of the entire reserve of such bank shall consist of lawful money of the United States: *And provided further*, That the amount of such temporary certificates at any time outstanding shall not exceed fifty millions of dollars.

Approved, March 2, 1867.

March 2, 1867.

CHAP. CXCV. — *An Act to pay and discharge certain Debts and Expenditures to the Corporation of the City of Washington.*

Corporation of Washington to be paid for expenses in improving, &c. public streets, grounds, and bridges, prior to May 5, 1864.

Account to be presented.

Items to be examined and proved.

Receipt in full.

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 pay to the proper authorities of the city of Washington, out of any money in the treasury not otherwise appropriated, the sum of thirty-one thousand nine hundred and seventy-one dollars and thirty-four cents, in full for all claims which the city of Washington now has against the United States on account of moneys expended in improving the streets, avenues, alleys, public grounds, in the city of Washington, or for repairing any of the bridges crossing the Potomac river, prior to May fifth, eighteen hundred and sixty-four: *Provided*, That before paying the sum aforesaid the mayor of the city of Washington shall present to the commissioner of public buildings an account embracing each item of charge which said city has against the United States for expenditures herein referred to, which account the said commissioner shall certify to be correct and just: *Provided further*, That no money shall be paid under this act until after a full examination of all the items by the proper accounting officers of the treasury, and proof under oath that the work was done at fair and reasonable prices: *And provided further*, That before any money shall be paid under this act the city of Washington shall file with the treasurer of the United States a receipt to the effect that the city has received the amount to be paid by virtue of this act in full of all claims against the government for the grading, paving, and constructing sewers in the streets of said city to the date of May twenty-third, eighteen hundred and sixty-five.

Approved, March 2, 1867.

March 2, 1867.

CHAP. CXCVI. — *An Act to amend an Act entitled "An Act for the Removal of Causes in certain Cases from State Courts," approved July twenty-seven, eighteen hundred and sixty-six.*

1866, ch. 288. *Ante*, p. 306.

Certain suits in State courts may be removed to circuit court

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.

of the United States, when, from local influence, &c. justice cannot be had in State court.

Proceedings to remove.

Bail, attachments, injunctions, &c.

APPROVED, March, 2, 1867.

CHAP. CXCVII. — *An Act to provide increased Revenue from imported Wool, and for other Purposes.*

March 2, 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, 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, to wit: —

Duties in lieu of present duties on unmanufactured wool, &c.

Wools to be divided into three classes.

CLASS 1. — CLOTHING WOOL.

Class 1. — Clothing wool to include what.

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.

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.

"Canada long wools" included herein. Pub. Res. No. 8. March 22, 1867. Vol. xv. p. 21.

CLASS 3. — CARPET WOOLS, AND OTHER SIMILAR WOOLS.

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-

tofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.

Samples of various kinds to be deposited in custom-houses.

Standard samples in Treasury Department.

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.

Duty upon wools of first class;

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.

of second class;

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.

of third class;

Upon wools of the third class the value whereof at the last port or place whence exported into 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:

Wools imported in other than ordinary condition, or changed in condition to evade duty, &c. to pay double duty.

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:

Rate of duty when wool of different qualities is imported in same bale.

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:

Duty upon washed wools of first class to be double, &c.; upon scoured wools of all classes to be three times, &c.; on raw, &c.; sheep or goat skins; woollen rags, waste, &c.

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: —

Duties in lieu of present duties on manufactures of wool imported;

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 woollen cloths, shawls, &c.;

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 centum ad valorem.

flannels, blankets, hats, knit goods, woollen and worsted yarns, &c.;

On endless belts or felts for paper or printing machines, twenty cents per pound and thirty-five per centum ad valorem.

endless belts or felts;

On bunting, twenty cents per square yard, and, in addition thereto, thirty-five per centum ad valorem.

bunting;

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 centum ad valorem; valued at above twenty cents the square yard, eight cents per square yard, and, in addition thereto, forty 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 centum ad valorem.

women's and children's dress goods, &c.;

Proviso.

On clothing ready made, and wearing apparel of every description, and balmoral skirts and skirting, and goods of similar description, or used for like purposes, composed wholly or in part of wool, worsted, the hair of the alpaca, goat, or other like animals, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, except knit goods, fifty cents per pound, and, in addition thereto, forty per centum ad valorem.

ready made clothing and wearing apparel;

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 centum ad valorem.

webbings, beltings, &c.

Words "unmixed with silk" stricken out. Pub. Res No. 19. March 29, 1867. Vol. xv. p. 24.

On Aubusson and Axminster carpets, and carpets woven whole for rooms, fifty 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 centum ad valorem; on Brussels carpets wrought by the Jacquard machine, forty-four cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; on patent velvet and tapestry velvet carpets, printed on the warp or otherwise, forty cents per square yard, and, in addition thereto, thirty-five 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 centum ad valorem; on treble ingrain, three-ply, and worsted chain Venetian carpets, seventeen cents per square yard,

Carpets.

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 bockings, 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

mats, rugs, screens, &c.; 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.

oil-cloths. 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.* Dec. 7, 1866.

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.

Erastus B. Wolcott and John S. Cavender, appointed managers of the National Asylum for Disabled Volunteer Soldiers.

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 in April next.* Jan. 11, 1867.

See *Ante*, pp. 347, 362.

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.

Specimens of the cereal productions of the United States to be prepared, &c. for exhibition at the Paris Exposition.

Proviso.

APPROVED, January 11, 1867.

[No. 4.] *Joint Resolution authorizing certain Medals to be distributed to honorably discharged Soldiers free of Postage.* Jan. 14, 1867.

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.

Medals may be sent free through the mails to certain honorably discharged soldiers of West Virginia.

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.* Jan. 22, 1867.

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

the post-office and United States courts in New York city.

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.

Lower part of City Hall Park to be purchased.

Title and condition.

Secretary of the Treasury authorized to pay therefor.

APPROVED, January 22, 1867.

Jan. 22, 1867.

[No. 6.] *A Resolution appropriating Money to defray the Expenses of the Joint Select Committee on Retrenchment.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of fifteen thousand dollars, or as much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to defray the expenses of the "Joint Committee on Retrenchment," and that sum shall be drawn from the treasury, upon the order of the secretary of the Senate, as the same shall be required; and any portion of the amount hereby appropriated, that shall be allowed by the said joint committee to witnesses attending before it, or 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 orders of said joint committee, shall be accordingly credited and allowed by the accounting officers of the Treasury Department.

Appropriation for expenses of joint Committee on retrenchment.

Pay of witnesses.

APPROVED, January 22, 1867.

Jan. 29, 1867.

[No. 7.] *Joint Resolution authorizing the Secretary of War to transfer certain Property to the National Asylum for Disabled Volunteers.*

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Asylum for Disabled Volunteer Soldiers not having obtained title to land at Point Lookout, in Maryland, as contemplated in the twelfth section of the act approved March twenty-first, eighteen hundred and sixty-six, establishing that institution, the Secretary of War is hereby authorized, at his discretion, to transfer to the said National Asylum any of the property of the United States still remaining at Point Lookout, which may be considered appropriate and useful for the objects of that corporation.

Secretary of War may transfer to the National Asylum for Disabled Volunteer Soldiers certain property of the United States.

1866, ch. 21, § 12.

Ante, p. 11.

APPROVED, January 29, 1867.

Jan. 29, 1867.

[Repealed. Act March 16, 1867. Vol. xv. p. 1.]

[No. 8.] *A Resolution to provide for the Removal of the Wreck of the Steamship Scotland.*

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 cause the removal of the

Secretary of War may contract with low-

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.

Lowest bidder for the removal of the wreck of the Steamship Scotland, from the entrance to New York harbor.

Appropriation.

Advertisement.

Contract not to exceed the appropriation.

APPROVED, January 29, 1867.

[No. 11.] *Joint Resolution to amend existing Laws relating to Internal Revenue.*

Feb. 5, 1867.

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.

Alcohol and burning fluid made from certain materials on which taxes have been paid, to be exempt from tax.

Repeal of portion of act of 1864, ch. 173, § 96. Vol. xiii. p. 272.

Tax on certain products of distillation.

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."

Annual tax of $50 on distillers of burning fluid, &c. repealed.

1864, ch. 173, § 79. Vol. xiii. p. 253. 1866, ch. 184. *Ante*, p. 117.

APPROVED, February 5, 1867.

[No. 12.] *A Resolution providing for the Payment of certain Kentucky Militia Forces.*

Feb. 8, 1867.

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 co-operation with the authorities of the United States and subject to their order.

Claims of forces under the command of James S. Fish, to be investigated and paid.

Rates of pay.

Actual service only to be allowed for.

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.*

Feb. 18, 1867.

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-

Alcohol may be withdrawn from bond by

curators of scientific institutions without payment of internal tax for, &c. upon giving bond, &c.

porated or chartered 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.

Conditions of bond.

Penalty for violation of conditions of bond.

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.

Feb. 18, 1867. [No. 15.] *A Resolution in Relation to Ocean Mail Service between San Francisco, in California, and Portland, in Oregon.*

Ocean mail service between San Francisco and Portland, Oregon.

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.

Cost not to exceed.

Bids and contracts.

APPROVED, February 18, 1867.

Feb. 18, 1867. [No. 16.] *Joint Resolution in Relation to the Pensions of Widows of Revolutionary Soldiers.*

Pensions of widows of revolutionary soldiers to be increased, and from what date.

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, 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.

Feb. 18, 1867. [No. 17.] *Joint Resolution for the Purchase of David's Island, New York Harbor.*

David's Island to be purchased.

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.* Feb. 22, 1867.

Ante, p. 367.

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.

Time for submitting to Congress a general customs revenue law extended to January 1, 1868.

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.* Feb. 22, 1867.

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.

Lieut.-Commander S. L. Breese may be appointed to the active list of the navy.

APPROVED, February 22, 1867.

[No. 23.] *Joint Resolution authorizing the Employment of a public Vessel for the Transportation of Provisions to the People of the Southern States.* Feb. 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.

A public vessel may be employed to transport supplies to the suffering people of the Southern States.

APPROVED, February 22, 1867.

[No. 26.] *A Resolution to extend Aid and Facilities to Citizens of the United States engaged in the Survey of a Route for a Ship Canal across the Isthmus of Darien.* Feb. 25, 1867.

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.

Survey of Isthmus of Darien for ship canal.

See No. 51. *Post*, p. 572.

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 "Silvie," and to issue an American Register to the Steam Yacht "Glance."* Feb. 25, 1867.

WHEREAS the yacht "Mayflower" is a pleasure-boat not enengaged 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,

Preamble.

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-

Name of yacht "Mayflower" changed to "Silvie."

Register to steam yacht "Glance."

flower" to change the name of the same to that of "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.

Feb. 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.*

Quota of direct tax of West Virginia, how to be ascertained. 1861, ch. 45, § 8. Vol. xii. p. 294.

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.

West Virginia to have same duties and privileges as other loyal States. Proviso.

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.

Tax in Berkeley and Jefferson counties.

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.

Taxes illegally collected to be refunded.

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.

Collection of direct tax in West Virginia to be suspended until, &c. unless, &c.

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.

Repeal of 1865, ch. 87, § 2. Vol. xiii. p. 501.

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.

Effect of certificates of sale under tax law.

1862, ch. 98. Vol. xii. p. 422.

APPROVED, February 25, 1867.

[No. 30.] *Joint Resolution giving additional Compensation to certain Employees in the Civil Service of the Government at Washington.* Feb. 28, 1867.

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 *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.

Twenty per cent additional pay to certain persons in the civil service at Washington, D. C.

Temporary clerks, messengers, watchmen, and other employees.

Employees of patent-office.

Resolution not to apply to those whose salary exceeds $3500 a year.

SEC. 2. *And be it further resolved*, That all acts or parts of acts heretofore 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.

Repeal of former acts.

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.* Feb. 28, 1867.

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.

Public lands to Tennessee for agricultural college.
1862, ch. 130. Vol. xii. p. 504.
1865, ch. 209. *Ante*, p. 208.

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.* Feb. 28, 1867.

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 commis-

Authority to place United States vessels, &c. for use of commissioners

of quarantine continued for two years. *Ante*, p. 351.

sioners 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, be continued for two years after the passage of this joint resolution.

APPROVED, February 28, 1867.

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.*

Dahlgren guns for experimental trials of Ridgway's patent revolving 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.*

Payments to Henry Standish, Dimick B. Huntington, Harrison Severe, and Buchanan and Company.

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, for the payment of the late Indian agents in Utah, 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.

1860, ch. 56. Vol. xii. p. 17.

1862, ch. 30. Vol. xii. p. 344.

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.*

Additional copies of Appendix to Diplomatic Correspondence of one thousand eight 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.

How to be bound and distributed.

APPROVED, March 2, 1867.

[No. 45.] *Joint Resolution for the erection of an equestrian Statue to the Memory of Brevet Lieutenant-General Winfield Scott.* March 2, 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 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.

Bronze equestrian statue to Brevet Lieutenant-General Winfield Scott.

APPROVED, March 2, 1867.

[No. 46.] *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.* March 2, 1867.

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 promoted, encouraged, or in any manner sustained the late rebellion; or in favor of any person who, during said rebellion, was not known to be 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.

Payment by any government officer to any person not known to have been opposed to the rebellion, &c. prohibited.

Proviso.

APPROVED, March 2, 1867.

[No. 47.] *Joint Resolution to amend Section Five of an Act entitled "An Act to increase Duties on Imports and for other Purposes," approved June thirtieth, one thousand eight hundred and sixty-four.* March 2, 1867.

1864, ch. 171, § 5. Vol. xiii. p. 208.

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, bootees, gaiters and buttons exclusively, not combined with India rubber, ten per cent ad valorem," be, and the same is hereby, repealed.

Certain duty on lastings, &c. repealed.

See Vol. xv. p. 24.

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.

Machinery for manufacture of beet sugar exempt from duty.

APPROVED, March 2, 1867.

[No. 48.] *A Resolution to facilitate the Settlement of Accounts of disbursing Officers.* March 2, 1867.

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

Repeal of part of 1862, ch. 199. Vol. xii. p. 593.

Accounts and vouchers of disbursing officers to be sent where.

proper accounting officers of the treasury," be, and the same is hereby, repealed; 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.*

Excess of duty paid by any national bank to be refunded.

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.

1864, ch. 240, § 2. Vol. xiii. p. 381.

[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 Quartermasters' Stores and Subsistence Supplies furnished to the Army of the United States," approved July fourth, eighteen hundred and sixty-four.*

Claims for certain quartermasters' stores to be settled.

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.*

Authority for the United States to make survey of the Isthmus of Darien for ship canal.

See No. 26, *Ante*, p. 567.

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 on the Death of President Lincoln.*

Acknowledgment of resolution of Chambers, &c. of Brazil, of sorrow, &c. for 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.

Copy hereof to Emperor of Brazil.

APPROVED, March 2, 1867.

[No. 53.] *A Resolution relative to the Post-Office and Sub-Treasury of the City of Boston.* March 2, 1867.

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 treasurer 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 earlies[t] 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 *suggestings* [suggestions] as they may think proper, to Congress.

Commission to select site for post-office and sub-treasury in Boston.

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.* March 2, 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 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.

Water power for arsenal at Rock Island. 1864, ch. 60. Vol. xiii. p. 60. 1866, ch. 141. *Ante*, p. 75.

APPROVED, March 2, 1867.

[No. 55.] *A Resolution to provide for the Exchange of certain Public Documents.* March 2, 1867.

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.

Exchange of certain public documents.

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.* March 2, 1867.

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

Southwestern boundary of military reservation of Fort Riley established.

Land released granted to Kansas for bridge over Republican river.

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 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 reservation; but upon the express condition that this grant shall be accepted 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 maintained in good condition, and shall be free to the use of the 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 of the Secretary of the Interior, together with the certificate of the governor 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 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 State, to construct said bridge: *Provided, however*, That nothing herein contained shall be construed to interfere with any grant of any part of said land heretofore made by the United States.

Condition of grant.

Patent, when to issue.

Proviso.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 57.] *A Resolution presenting the Thanks of Congress to Cyrus W. Field.*

Thanks of Congress to Cyrus W. Field.

Resolved by the Senate and House of Representatives of the United 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 his foresight, courage, and determination in establishing telegraphic communication by means of the Atlantic cable, traversing mid-ocean and connecting 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 suitable emblems, devices, and inscription, to be presented to Mr. Field.

Gold medal.

Copy of resolution and medal to Mr. Field.

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 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 of the United States of America.

Appropriation.

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 in the treasury not otherwise appropriated.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 58.] *Joint Resolution instructing the Secretary of the Interior to order a Survey for a Bridge or Bridges across the Potomac.*

Surveys and estimates to be made for a bridge or bridges across the Potomac.

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 directed to order a survey, by a competent engineer, of the ground and river at and near the Aqueduct Bridge, in this District, and report upon the practicability of constructing there a bridge across the Potomac without obstructing the navigation of the river, and the probable cost thereof, separately estimating for a common bridge, and for a 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 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 earliest 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. Fitler."* March 2, 1867.

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. Fitler, of Philadelphia, wrecked at sea on the morning of January twenty-second, eighteen hundred and sixty-seven.

Gold chronometer to be presented to Captain James G. Smith, for rescue of the passengers and crew of the American brig E. H. Fitler.

APPROVED, March 2, 1867.

[No. 60.] *Joint Resolution in Relation to the Erection of a Jail in the District of Columbia.* March 2, 1867.

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.

No money to be paid towards the construction of the new jail in the District of Columbia, unless, &c. 1866, ch. 236. *Ante*, p. 231.

New site for jail.

APPROVED, March 2, 1867.

PRIVATE 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. IV. — *An Act for the Relief of Mrs. Mary Lincoln, Widow of the late President of the United States.* Dec. 21, 1865.

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 pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary Lincoln, widow of Abraham Lincoln, late President of the United States, or, in the event of her death before payment, then to the legal representatives of the said Abraham Lincoln, the sum of twenty-five thousand dollars: *Provided always*, That any sum of money which shall have been paid to the personal representatives of the said Abraham Lincoln since his death, on account of his salary as President of the United States for the current year, shall be deducted from the said sum of twenty-five thousand dollars.

$25,000 to be paid to Mrs. Mary Lincoln.

Proviso.

APPROVED, December 21, 1865.

CHAP. VII. — *An Act for the Relief of Charles F. Anderson.* Feb. 7, 1866.

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, directed to pay to Charles F. Anderson, architect, out of any money in the treasury not otherwise appropriated, the sum of seven thousand five hundred dollars, in full, for time, labor, and expense in preparing plans and drawings for the Capitol extension.

Payment of $7,500 to Charles F. Anderson.

APPROVED, February 7, 1866.

CHAP. XI. — *An Act for the Relief of Charlotte Bence, Widow of Philip H. Bence, late Captain of Company F, Thirtieth Regiment Iowa Volunteer Infantry.* Feb. 17, 1866.

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 he is hereby, authorized and directed to place the name of Charlotte Bence, of Bloomfield, Davis county, Iowa, widow of Captain Philip H. Bence, of company F, thirtieth regiment of Iowa volunteers, on the pension roll, at the rate of twenty dollars per month, from and after the passage of this act, for and during her widowhood.

Pension to Charlotte Bence.

APPROVED, February 17, 1866.

March 8, 1866.

CHAP. XIV.—*An Act for the Relief of the Heirs of James Bawdin.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on payment to the United States of one dollar and twenty-five cents per acre therefor, the Commissioner of the General Land Office shall cause a patent to be issued to the heirs of James Bawdin for that tract of land lying and being at Eagle Harbor, on Lake Superior, situate upon the north part of section number six, in township number fifty-eight north, of range number thirty west, in the Sault Ste. Marie land district, State of Michigan, containing about six and fifty-four hundredths acres of land, and being all that part of the lands known as the light-house reservation at Eagle Harbor, which lies east of the dotted line marked "S. 86° 45′ E. 12. 76 chains," as shown on the plat of "Bawd[i]n's Survey" of said reservation in the office of said Commissioner of the General Land Office, except so much of said lands as may be required for the use of a road four rods wide, from the light-house across said six and fifty-four hundredths acres to the waters of said harbor, as the same is now laid out and used for that purpose: *Provided*, That this act shall only be construed to be a relinquishment of the title of the United States, and shall not interfere with the rights of third persons.

Patent to heirs of James Bawdin for land at Eagle Harbor.

Proviso.

APPROVED, March 8, 1866.

March 22, 1866.

CHAP. XXIII.—*An Act for the Relief of Robert Henne.*

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 hereby is, authorized and directed to increase the pension of Robert Henne, late of company I, twelfth Missouri infantry, from seventeen dollars per month to twenty-five dollars per month, and to pay him such increased pension from the passage of this act.

Pension of Robert Henne increased.

APPROVED, March 22, 1866.

April 7, 1866.

CHAP. XXX.—*An Act for the Benefit of John W. Campbell.*

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 required to allow John W. Campbell, late quartermaster seventh Kentucky cavalry, on settlement of his accounts, a credit of four thousand seven hundred and seventy dollars, money expended by him for the use of the said regiment, the vouchers and accounts for which were destroyed and lost by falling into the hands of the enemy at Cynthiana, July seventeenth; Big Hill, August twenty-third; and Richmond, Kentucky, August thirtieth day, eighteen hundred and sixty-two, respectively, if on examining the evidence by the Quartermaster-General the said Quartermaster-General shall deem him justly entitled to said credit; but said credit shall not be allowed without the said Quartermaster-General shall certify his approval thereof.

Credit of $4,770 to be allowed to John W. Campbell.

Approved, April 7, 1866.

April 10, 1866.

CHAP. XXXIV.—*An Act for the Relief of J. B. Rittenhouse, Fleet-Paymaster of the Pacific Squadron.*

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 be, and they are hereby, authorized and directed, in the settlement of the accounts of J. B. Rittenhouse, fleet-paymaster of the Pacific squadron, to release him from all accountability for the amount of

J. B. Rittenhouse to be released from accountability for money stolen, on proving larceny.

thirteen thousand five hundred and nine dollars, public money, stolen from him on the evening of October thirty, eighteen hundred and sixty-five, while on duty at Panama, or such portion thereof as he may or shall fail to recover: *Provided*, That no part of said money shall be allowed said Rittenhouse until the proper accounting officers of the government are satisfied upon full and complete evidence of the larceny of the money alleged to have been stolen.

APPROVED, April 10, 1866.

CHAP. XXXV.—*An Act granting a Pension to Sarah Fitzgibbon.* April 10, 1866.

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 he hereby is, authorized and directed to place the name of Sarah Fitzgibbon, widow of Thomas C. Fitzgibbon, late major of the fourteenth Michigan volunteer infantry, upon the pension rolls, at twenty-five dollars per month from the first day of May, one thousand eight hundred and sixty-five: *Provided*, That in the event of the marriage or death of said Sarah Fitzgibbon, *that* the pension allowed by this act shall be continued to the children of the late Major Thomas C. Fitzgibbon, subject to the limitation and restrictions now imposed by existing pension laws.

Pension to Sarah Fitzgibbon.

Proviso.

APPROVED, April 10, 1866.

CHAP. XXXVI.—*An Act for the Relief of F. A. Patterson, late Captain of the Third Virginia Cavalry.* April 10, 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 he is hereby, authorized and directed to pay Captain F. A. Patterson full amount of pay and emoluments as a captain of the third Virginia cavalry from the twenty-fifth day of November, eighteen hundred and sixty-two, the date of his commission by the governor of Virginia, to the date of muster out of his regiment.

Payment to F. A. Patterson.

APPROVED, April 10, 1866.

CHAP. XXXVII.—*An Act for the Relief of Jane W. Nethaway.* April 10, 1866.

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 he is hereby, directed to place upon the pension rolls the name of Jane W. Nethaway, of the town of Ohio, county of Herkimer, and State of New York, widow of David Nethaway, late of the eighty-first regiment New York volunteers; the said pension to begin on the twenty-ninth day of September, eighteen hundred and sixty-four, and to continue during her widowhood, at the rate allowed by law to the widow of a first lieutenant.

Pension to Jane W. Nethaway.

SEC. 2. *And be it further enacted*, That the proper accounting officers of the treasury be, and they are hereby, authorized and directed to settle and adjust the accounts of the said David Nethaway, late of the eighty-first regiment New York volunteers, as a second lieutenant from June third, eighteen hundred and sixty-four, to August eleventh, eighteen hundred and sixty-four, inclusive, and as a first lieutenant from August twelfth, eighteen hundred and sixty-four, to September twenty-ninth, eighteen hundred and sixty-four, inclusive.

Accounts of David Nethaway to be settled.

APPROVED, April 10, 1866.

April 10, 1866.

CHAP. XXXVIII. — *An Act for the Relief of Emma J. Hall.*

Pension to Emma Jane Hall.

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 hereby is, authorized and directed to place the name of Emma Jane Hall, widow of Perry Hall, deceased, late a chaplain in the seventy-ninth regiment, Indiana volunteers, upon the pension rolls, at the rate now prescribed by law for officers of his rank, and to be continued during her widowhood.

APPROVED, April 10, 1866.

April 12, 1866.

CHAP. XLII. — *An Act to confirm unto Augustin Amiot, his legal Assigns and Representatives, a certain Lot of Ground in the City of Saint Louis, in the State of Missouri.*

Preamble. 1860, ch. 188. Vol. xii. p. 85.

WHEREAS, under the act of Congress approved June twenty-second, eighteen hundred and sixty, entitled "An Act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes," the recorder of land titles for the city of Saint Louis, for the State of Missouri, has reported to the Commissioner of the General Land Office that there ought to be confirmed to Augustin Amiot, or to his legal representatives, under class one, under the third section of the act aforesaid, the lot of ground in the town of Saint Louis, Missouri, described as follows: commencing at the northwest corner of the lot in block number forty-six, being the northwest corner of the block at the intersection of Sycamore and Second streets; thence south fifty-eight degrees forty-one minutes east, along the south edge of Sycamore street to the northern boundary of the lot one hundred and sixty feet five inches, the northeast corner of the lot at the south edge of Sycamore street; thence south thirty degrees thirty minutes west, along the eastern boundary of the lot, one hundred and twenty-eight feet four inches, the southeast corner of the lot; thence north fifty-eight degrees forty-one minutes west, along the southern boundary of the lot, one hundred and sixty feet five inches, the southwest corner of the lot at the east edge of Second street; thence north thirty degrees thirty minutes east, along the east edge of Second street to the western boundary of the lot, one hundred and twenty-eight feet four inches, the beginning northwest corner of the lot, the said lot of ground being one hundred and twenty by one hundred and fifty French feet; and whereas the Commissioner of the General Land Office has approved the report of the said recorder of land titles, and has reported the same to Congress for its action; Therefore —

Lot in St. Louis confirmed to Augustin Amiot.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said lot of ground in the city of Saint Louis, Missouri, be, and the same is hereby, confirmed unto the said Augustin Amiot, his legal assigns and representatives, and that all the right, title, and interest of the United States in and to the same be, and the same is hereby, granted and confirmed unto the said Augustin Amiot, his legal assigns and representatives.

APPROVED, April 12, 1866.

April 12, 1866.

CHAP. XLIII. — *An Act for the Relief of the Estate of E. W. Eddy.*

Estate of E. W. Eddy to be credited with $200,000.

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 be, and they are hereby, authorized and required to allow to the estate of E. W. Eddy, late paymaster in the U. S. army, a credit of two hundred thousand dollars, the amount of public funds in his hands as paymaster on board the steamer "Brother Jonathan," lost by the wreck of said steamer, on the thirtieth day of July, eighteen hundred and sixty-five, off the coast of California: *Provided*, That the final order for the allowance of the said credit shall not be made until the whole subject

connected with the said alleged loss shall be fully investigated by the Paymaster-General, and he shall certify to the proper department of the government that the loss of the vessel has been fully proved.

APPROVED, April 12, 1866.

CHAP. XLIX. — *An Act for the Relief of the Administrators and Securities of Almon W. Babbitt, late Secretary of Utah.* April 17, 1866.

Preamble. WHEREAS Almon W. Babbitt, as secretary of the Territory of Utah, in the summer of eighteen hundred and fifty-six, had advanced to him by the Treasury Department, at the city of Washington, twenty-six thousand and five hundred dollars; that a portion of this sum was properly expended by him in the purchase of stationery, carpeting, and other property for the offices of the Territory, and in the purchase of oxen and wagons to transport the said property, together with a quantity of books, belonging to the Territory, from Council Bluffs to Salt Lake City; and while upon the route, not far from Fort Kearney, the said Babbitt and most of the men with him were murdered, the teams taken, and property destroyed by Indians; and whereas there is now standing against said Babbitt upon the books of the Treasury Department a balance of twelve thousand and nine hundred and seventy-two dollars; and it is satisfactorily proven that the property destroyed by said Indians amounted in value to a sum larger than said balance: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the administrators, heirs, and securities of said Babbitt be, and they are hereby, released and discharged from the payment of said balance, and from all liability on account of the same and of said moneys received from the Treasury Department, as aforesaid. Administrators, &c., of Almon W. Babbitt released.

APPROVED, April 17, 1866.

CHAP. L. — *An Act granting a Pension to Mrs. Altazera L. Willcox, of Chenango County, in the State of New York.* April 17, 1866.

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 he is hereby, directed to place the name of Altazera L. Willcox, of Chenango county, in the State of New York, widow of William Willcox, late a private in company "B," in the One Hundred and Fourteenth regiment, New York Volunteers, on the pension roll, at the rate of eight dollars per month, to commence from and after the passage of this act, and to continue during her widowhood. Pension to Altazera L. Willcox.

APPROVED, April 17, 1866.

CHAP. LI. — *An Act granting a Pension to Mrs. Isabella Fogg, of the State of Maine.* April 17, 1866.

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 and directed to place the name of Mrs. Isabella Fogg, of the State of Maine, on the pension roll, at the rate of eight dollars per month, to commence from and after the passage of this act, and to continue during her natural life; she, the said Isabella Fogg, having been totally disabled while acting as nurse on board the United States hospital boat near Louisville, in the State of Kentucky. Pension to Isabella Fogg.

APPROVED, April 17, 1866.

April 17, 1866.

CHAP. LII. — *An Act granting Pension to Virginia K. V. Moore.*

Pension to Virginia K. V. Moore.

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 he is hereby, authorized and directed to place the name of Virginia K. V. Moore, daughter of Richard D. Moore, deceased, late of Co. "K," seventy-second regiment Illinois Volunteers, on the list of invalid pensioners, and pay to her, or her legally appointed guardian, the sum of eight dollars per month, from December third, eighteen hundred and sixty-three, the date of the death of Richard D. Moore, until she shall have attained the age of sixteen years.

Approved, April 17, 1866.

April 17, 1866.

CHAP. LIII. — *An Act granting a Pension to Mrs. Elizabeth York, widow of Shubal York, late a Surgeon in the Fifty-fourth Regiment Illinois Infantry, Volunteers.*

Pension to Elizabeth 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 Interior be, and is hereby, authorized and directed to place the name of Elizabeth York, widow of Shubal York, late a surgeon in the Fifty-fourth regiment Illinois volunteer infantry, on the pension rolls, at the rate of twenty-five dollars per month, to commence from and after the passage of this act, and to continue during her widowhood.

Approved, April 17, 1866.

April 17, 1866.

CHAP. LIV. — *An Act for the Relief of Charles Youly.*

Payment to Charles Youly.

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, directed to pay, out of any funds which may have been appropriated for the payment of pensions, to Charles Youly, of Dunkirk, Cha[u]tauqua county, New York, late a private of company "D," seventy-second regiment, New York Volunteers, the sum of one hundred and thirty-five dollars and thirty-three and one-third cents, it being at the rate of five dollars per month, from the twenty-fifth day of November, eighteen hundred and sixty-two, to the twenty-seventh day of February, eighteen hundred and sixty-five.

Approved, April 17, 1866.

April 17, 1866.

CHAP. LV. — *An Act for the Relief of Nicholas Hibner, late a Private in the Sixth Regiment Missouri State Militia.*

Pension to Nicholas Hibner.

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 he is hereby, authorized and directed to place the name of Nicholas Hibner, of Caldwell county, Missouri, and late a private in the sixth regiment (cavalry) Missouri State militia, commanded by Col. Catherwood, upon the list of pensioners, at the rate of eight dollars per month, to commence on the passage of this act, and to continue during his natural life.

Approved, April 17, 1866.

April 17, 1866.

CHAP. LVI. — *An Act for the Relief of Albert Nevins.*

Pension to Albert Nevins.

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 he is hereby, authorized and directed to place the name of Albert Nevins, late a private in company "K," ninety-second regiment New York State volunteers, upon the list of pensioners at the rate of twenty-five dollars per month, in lieu of the eight dollars per month here-

tofore allowed him; to commence on the passage of this act, and to continue during his natural life.

APPROVED, April 17, 1866.

CHAP. LVII. — *An Act granting Pension to Lewis W. Dietrich.* April 17, 1866.

Pension to Lewis W. Dietrich.

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 and directed to place the name of Lewis W. Dietrich, late a second lieutenant of company "E," thirtieth regiment U. S. colored troops, on the pension list, and to pay him a pension at the rate of fifteen dollars per month; this act to take effect from and after its passage.

APPROVED, April 17, 1866.

CHAP. LVIII. — *An Act for the Relief of James G. Clarke.* April 18, 1866.

Payment to James G. Clarke.

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 directed, out of any money in the treasury not otherwise appropriated, to pay to James G. Clarke the sum of six thousand four hundred and eighty-three dollars and ninety-six cents ($ 6,483 96), in full for services as acting chargé d'affaires of the United States at Brussels from June eleventh, eighteen hundred and fifty-seven, to September twenty-seventh, eighteen hundred and fifty-eight.

APPROVED, April 18, 1866.

CHAP. LIX. — *An Act granting a Pension to Mrs. Sarah E. Wilson.* April 18, 1866.

Pension to Sarah E. Wilson.

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 he is hereby, authorized and directed to place the name of Mrs. Sarah E. Wilson, widow of William H. Wilson, late acting surgeon United States volunteers, on the pension roll, at the rate of seventeen dollars per month, to commence from the passage of this act, and to continue during her widowhood.

APPROVED, April 18, 1866.

CHAP. LX. — *An Act directing the Enrolment of Agnes W. Laughlin, the Widow of a deceased Soldier, as a Pensioner.* April 18, 1866.

Pension to Agnes W. Laughlin.

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 he is hereby, directed to enrol Agnes W. Laughlin, widow of William Laughlin, deceased, late a private in company "C" third Indiana cavalry, as entitled to a pension from first of January, eighteen hundred and sixty-five, to continue during her widowhood.

APPROVED, April 18, 1866.

CHAP. LXI. — *An Act for the Relief of Ann Heth, Widow of William Heth, of Harrison County, Indiana.* April 18, 1866.

Pension to Ann Heth.

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 he hereby is, directed to place the name of Ann Heth, widow of William Heth, of Harrison county, in the State of Indiana, who was killed by the rebel Morgan's men, while resisting their advance upon Corydon, Indiana, upon the pension-roll, at the rate of eight dollars per month, to commence on the ninth day of July, eighteen hundred and sixty-three, and to continue during her widowhood.

APPROVED, April 18, 1866.

April 18, 1866.

CHAP. LXII. — *An Act granting a Pension to Mrs. Emerance Gouler.*

Pension to Emerance Gouler.

Amended.

See act 1866, ch. 185. *Post*, p. 594.

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 he is hereby, authorized and directed to place the name of Mrs. Emerance Gouler, widow of Charles Gouler, late a private in company "F," ninth New Hampshire volunteers, on the pension roll, at the rate of eight dollars per month, to commence from the passage of this bill, and to continue during her widowhood.

Approved, April 18, 1866.

April 20, 1866.

CHAP. LXIV. — *An Act for the Relief of Thomas Hurly.*

Pension to Thomas Hurly.

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 he is hereby, directed to place the name of Thomas Hurly, late a private of company "K," eighth Tennessee cavalry upon the pension rolls, at the rate of twenty dollars per month, from and after the passage of this act, and to continue during his natural life.

Approved, April 20, 1866.

April 25, 1866.

CHAP. LXVI. — *An Act for the Relief [of] Thomas F. Wilson, late United States Consul at Bahia, Brazil.*

Payment to Thomas F. Wilson.

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 pay to Thomas F. Wilson, late United States Consul at Bahia fifteen hundred dollars, out of any money in the treasury not otherwise appropriated, in full compensation for extra services and for all other claims he may have against the Government, while in the service of the United States as Consul.

Approved, April 25, 1866.

April 25, 1866.

CHAP. LXVII. — *An Act for the Relief of Theodor G. Eiswald.*

Two bonds to be issued to Theodor G. Eiswald in lieu of two partially destroyed.

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 and pay to Theodor G. Eiswald, of Providence, in the State of Rhode Island, two United States coupon bonds, known as the denomination of seven-thirty bonds, of one thousand dollars each, with coupons attached, in lieu of two seven-thirty bonds of the United States, issued under an act of Congress, partially destroyed by fire, the charred remnants thereof being now deposited in the office of the Secretary of the Treasury, and numbered respectively one hundred and four thousand one hundred and fifty-two and one hundred and four thousand one hundred and fifty-three, dated June fifteenth, eighteen hundred and sixty-five, and issued under the act of March third, eighteen hundred and sixty-five ; *Provided*, that the said Theodor G. Eiswald shall execute a bond in the penal sum of five thousand dollars, to be approved by the Solicitor of the Treasury, indemnifying the United States against any loss, cost, or damage on account of the issuing of said bills.

Proviso.

Approved, April 25, 1866.

April 26, 1866.

CHAP. LXIX. — *An Act for the Relief of George R. Frank, late Captain Thirty-third Regiment Wisconsin Volunteer Infantry.*

Payment to George R. Frank.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Paymaster-General of the United States army be, and he is hereby, authorized and directed to settle and pay out of any money appropriated, or hereafter to be appro-

priated, for the payment of the army, the account of George R. Frank, late a captain in the thirty-third regiment of Wisconsin volunteer infantry, for his services, and all allowances as captain in said regiment, in the service of the United States, from the date of his last payment to the time of the final muster out and payment of said regiment, the same as though the said George R. Frank had not been mustered out as captain for the purpose of being mustered in as major or otherwise.

APPROVED, April 26, 1866.

CHAP. LXXVII. — *An Act for the Benefit of Col. R. E. Bryant.* May 9, 1866.

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 required to allow R. E. Bryant, late commissary of subsistence, on settlement of his account, a credit of fourteen hundred and eighty-four dollars and thirteen cents, the vouchers and accounts for which were lost and destroyed, falling into the hands of the enemy at Holly Springs, Mississippi, on the twentieth day of September, eighteen hundred and sixty-two, if on examining the evidence by the commissary-general the said commissary-general shall deem him justly entitled to said credit; but said credit shall not be allowed without the said commissary-general shall certify approval thereof.

Credit to be allowed R. E. Bryant.

APPROVED, May 9, 1866.

CHAP. LXXVIII. — *An Act for the Relief of R. L. B. Clarke.* May 9, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Treasurer of the United States be, and he is hereby, directed to pay, out of any money in the treasury of the United States not otherwise appropriated, the sum of one thousand five hundred dollars to R. L. B. Clarke, in full for the time and expense incurred by him in contesting the seat of Augustus Hall, from the first district of Iowa, in the thirty-fourth Congress.

Payment to R. L. B. Clarke.

APPROVED, May 9, 1866.

CHAP. XC. — *An Act [for] the Relief of Francis A. Gibbons.* May 22, 1866.

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 pay, out of any money in the treasury not otherwise expended, the sum of five hundred and sixty-three dollars and nineteen cents to Francis A. Gibbons, the same being money paid by him for property purchased at a quartermaster's sale in the city of Baltimore, Maryland, on the fifteenth day of February, eighteen hundred and sixty-three, under the direction of Colonel Belger, assistant quartermaster, which was not delivered to the purchaser.

Payment to Francis A. Gibbons.

APPROVED, May 22, 1866.

CHAP. XCI. — *An Act granting [a] Pension to Spencer Kellogg.* May 22, 1866.

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 and directed to place the name of Spencer Kellogg, of Oswego county, State of New York, on the roll of invalid pensions, and pay or cause to be paid to his legally appointed guardian the sum of twenty dollars per month, until he, the said Spencer Kellogg, shall have attained the age of sixteen years; this act to take effect from the sixth day of September, eighteen hundred and sixty-five.

Pension to Spencer Kellogg.

APPROVED, May 22, 1866.

May 22, 1866.

CHAP. XCII. — *An Act granting a Pension to John Hoffman, of Madison County, in the State of New York.*

Pension to John Hoffman.

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, directed to place the name of John Hoffman, of Madison county, in the State of New York, on the pension roll, at the rate of eight dollars per month, to commence from and after the passage of this act, and to continue during his natural life.

APPROVED, May 22, 1866.

May 22, 1866.

CHAP. XCIII. — *An Act for the Relief of the Legal Representatives of Betsey Nash.*

Payment to representatives of Betsey Nash. 1857, ch. 158. Vol. xi. p. 516.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of Congress approved March three, eighteen hundred and fifty-seven, for the relief of Betsy Nash, are hereby extended to her legal representatives, and the amount appropriated by said act is hereby directed to be paid to them: *Provided*, That the sum paid by virtue of this act shall not exceed the amount due said Betsey Nash at the time of her death.

APPROVED, May 22, 1866.

May 22, 1866.

CHAP. XCIV. — *An Act for the Relief of Martha J. Willey.*

Pension to Martha J. Willey.

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 and directed to place the name of Martha J. Willey, widow of George W. Willey, late a corporal in company F, seventh regiment New Hampshire volunteers, on the pension rolls, at the rate of eight dollars per month, said pension to commence on the eighteenth day of April, eighteen hundred and sixty-five, and to continue during her widowhood; and in the event of the marriage or death of said Martha J. Willey, then to the minor children of George W. Willey, subject to the limitations and restrictions of the pension laws.

APPROVED, May 22, 1866.

May 22, 1866.

CHAP. XCV. — *An Act for the Relief of Isabella Strubing.*

Pension to Isabella Strubing.

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 he is hereby, authorized and directed to place the name of Isabella Strubing, widow of private Damon Strubing, deceased, late of company E, forty-sixth regiment Pennsylvania volunteers, on the pension roll, and pay or cause to be paid to her the sum of eight dollars per month from the thirtieth day of May, eighteen hundred and sixty-four, and to continue during her widowhood, and in the event of the death or marriage of said Isabella Strubing, to the minor children of Damon Strubing until they shall have attained the age of sixteen years.

APPROVED, May 22, 1866.

May 24, 1866.

CHAP. XCVIII. — *An Act to grant a Pension to Leonard St. Clair.*

Pension to Leonard St. Clair.

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 hereby is, authorized and directed to place the name of Leonard St. Clair on the pension rolls of the United States as a pensioner, at the rate of eight dollars per month.

APPROVED, May 24, 1866.

CHAP. XCIX. — *An Act for the Relief of Mrs. William L. Herndon.* May 24, 1866.

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 he is hereby, required to cause a copyright to issue securing to Mrs. William L. Herndon, to her heirs, assigns, and legal representatives, the exclusive right to republish the book entitled "Exploration of the Valley of the Amazon," heretofore published under order of Congress, and to publish the same for the term of fourteen years from the passage of this act. Copyright to issue to Mrs. William L. Herndon.

APPROVED, May 24, 1866.

CHAP. CI. — *An Act for the Relief of Cornelius B. Gold, late Acting Assistant Paymaster United States Navy.* May 26, 1866.

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 government be, and they are hereby, authorized and directed, in the settlement of the accounts of Cornelius B. Gold, late acting assistant paymaster U. S. navy, to allow a credit of five hundred and ten dollars and nine cents for clothing abstracted from a storeroom in charge of said Gold while on duty in Mobile bay in the spring or summer of eighteen hundred and sixty-five: *Provided*, That no credit shall be allowed until the proper officers of the government shall be satisfied by full and complete proof of the loss of the clothing herein referred to. Credit to be allowed Cornelius B. Gold. Proviso.

APPROVED, May 26, 1866.

CHAP. CVI. — *An Act granting [a] Pension to Mrs. Sally Andrews.* June 6, 1866.

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 and directed to place the name of Sally Andrews, of Buxton, York county, Maine, widow of the late Elisha Andrews, quarter gunner on board the "Levetta Adams," on the pension list of invalid pensioners, and pay or cause to be paid to her the sum of eight dollars per month during her widowhood, the pension to commence from and after the passage of this act. Pension to Sally Andrews.

APPROVED, June 6, 1866.

CHAP. CVII. — *An Act granting a Pension to Mrs. Joanna Winans.* June 6, 1866.

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 he is hereby, authorized and required to place the name of Mrs. Joanna Winans, mother of George W. Winans, late an acting assistant paymaster in the United States navy, on the roll of naval pensioners, at the rate of twenty dollars per month, to continue during her widowhood, the said pension to be paid out of the naval pension fund. Pension to Joanna Winans.

APPROVED, June 6, 1866.

CHAP. CVIII. — *An Act for the Relief of Christina Elder.* June 6, 1866.

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, is hereby directed to pay to Christina Elder, of the city of New York, the arrears of pension to which Jessie Elder, mother of the said Christina Elder and of Alexander B. Elder, late lieutenant-colonel of the tenth regiment of New York volunteers, would have been entitled, had the certificate of W. T. Otto, acting Secretary of the Interior, coun- Arrears of pension to Christina Elder.

tersigned by Joseph H. Barrett, Commissioner of Pensions, and bearing date on the twenty-fifth day of November, in the year one thousand eight hundred and sixty-five, in favor of the said Jessie Elder, been granted in his lifetime.

Approved, June 6, 1866.

June 6, 1866.

CHAP. CIX. — *An Act for the Relief of Cordelia Murray.*

Pension to Cordelia Murray.

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 he is hereby, directed to pay to Cordelia Murray, widow of George W. Murray, a pension equal in amount to the pension granted to the said George W. Murray, by an act of Congress approved December twentieth, eighteen hundred and sixty-four, entitled "An act for the relief of George W. Murray."

1865, ch. 5. Vol. xiii. p. 593.

Approved, June 6, 1866.

June 8, 1866.

CHAP. CXII. — *An Act granting a Pension to Mrs. Martha Stevens*

Pension to Martha Stevens.

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 he is hereby, directed to place the name of Mrs. Martha Stevens, widow of John F. Stevens, late deputy provost-marshal of the fourth congressional district of the State of Indiana, on the pension roll, at the rate of seventeen dollars per month, to commence from the tenth day of June, eighteen hundred and sixty-three, and to continue during her widowhood.

Approved, June 8, 1866.

June 8, 1866.

CHAP. CXIII. — *An Act granting a Pension to Anna E. Ward.*

Pension to Anna E. Ward.

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 and directed to place the name of Anna E. Ward, of the city of Washington, D. C., widow of the late Joseph D. Ward, second Kentucky volunteers, on the list of pensioners, and pay or cause to be paid to her the sum of eight dollars per month during her widowhood; and in the event of the marriage or death of said Anna E. Ward, then to the minor children of Joseph D. Ward, subject to the limitations and restrictions of the pension laws; this act to take effect from and after its passage.

Approved, June 8, 1866.

June 12, 1866.

CHAP. CXVIII. — *An Act to confirm the Title of José Serafin Ramirez to certain Lands in New Mexico.*

Land grant to José Serafin Ramirez confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant to José Serafin Ramirez of the Cañon del Agua, as approved by the surveyor-general of New Mexico January twenty, eighteen hundred and sixty, and designated as number seventy in the transcript of private land claims in New Mexico, transmitted to Congress by the Secretary of the Interior January eleven, eighteen hundred and sixty-one, is hereby confirmed: *Provided, however*, That this confirmation shall only be construed as a relinquishment on the part of the United States, and shall not affect the adverse rights of any persons whomsoever.

Claim of the United States only released.

Approved, June 12, 1866.

CHAP. CXIX. — *An Act to confirm the Grant of certain Lands to José Domingues, in California.* June 12, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant to José Domingues of the land known as Los Prietos y Najalayegua, in the county of Santa Barbara, granted to him at Los Angelos, September twenty-four, eighteen hundred and forty-five, by Governor Pio Pico, and approved by the departmental assembly of Alta California, June third, eighteen hundred and forty-six, is hereby confirmed. And the surveyor-general of California is hereby directed to proceed and survey said lands in accordance with the original title papers on file in his office, and when said survey shall have been approved by the Commissioner of the General Land Office, a patent shall be issued for said lands to said Domingues or parties holding under him by inheritance or otherwise. This confirmation shall only be construed as a relinquishment on the part of the United States, and shall not affect the adverse right of any person whomsoever.

Land grant to José Domingues confirmed.

Survey.

Patent.

Claim of the United States only released

APPROVED, June 12, 1866.

CHAP. CXX. — *An Act for the Relief of Mrs. Anna G. Gaston.* June 12, 1866.

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 is hereby directed to place upon the pension roll the name of Mrs. Anna G. Gaston, of the city of Washington, widow of Albert G. Gaston, deceased, late a lieutenant in the sixteenth regiment of Virginia volunteers, from the date of the discharge of her said husband from the military service of the United States, on account of disability arising from disease contracted in the said service, until the date of his death, namely, from the fifth day of May, in the year eighteen hundred and sixty-three, to the seventh day of February, in the year eighteen hundred and sixty-five, and to cause to be paid to the said Mrs. Anna G. Gaston a pension at the rate of seventeen dollars per month for the said term, without prejudice to the pension heretofore allowed her by the Commissioner of Pensions.

Pension to Anna G. Gaston.

APPROVED, June 12, 1866.

CHAP. CXXI. — *An Act for the Relief of Maria Syphax.* June 12, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title to a piece of land being part of the Arlington estate, in the county of Alexandria, in the State of Virginia, upon which Maria Syphax has resided since about the year eighteen hundred and twenty-six, bounded and described as follows, to wit: Beginning at the intersection of the south line of said Arlington estate with the centre line of a small run, said point of intersection being about one fourth of a mile from the southwest corner of said Arlington estate, running thence westerly along said south line seven chains and forty links; thence in a northeasterly direction, on a line making an angle of thirty-five degrees with the said south line, twenty-two chains and thirty-eight links; thence at right angles, in a southeasterly direction fifteen chains and sixty-seven links to the said south line of the Arlington estate; thence westerly along the said south line of the said Arlington estate nineteen chains and ninety-two links, to the place of beginning, containing seventeen acres and fifty-three one hundredths of an acre of land, be the same more or less, be, and the same is hereby, released and confirmed unto the said Maria Syphax, her heirs and assigns.

Title of Maria Syphax to certain Land in Virginia confirmed

APPROVED, June 12, 1866.

June 15, 1866.

CHAP. CXXV. — *An Act for the Relief of Mrs. Abigail Ryan.*

Pension to Abigail Ryan.

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 he is hereby, authorized and directed to place the name of Mrs. Abigail Ryan, widow of Thomas A. Ryan, late a sergeant in company E, seventeenth regiment West Virginia infantry volunteers, on the pension roll, at the rate of eight dollars per month, to commence from the twenty-seventh day of March, eighteen hundred and sixty-five, and to continue during her widowhood.

APPROVED, June 15, 1866.

June 21, 1866.

CHAP. CXXXIII. — *An Act for the Relief of Captain John H. Crowell, Assistant Quartermaster in the United States Army.*

A credit of $225 to be allowed Captain John H. Crowell in settlement of his accounts.

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 to allow Captain John H. Crowell, on a settlement of his accounts, a credit of two hundred and twenty-five dollars, for so much money disbursed by him to persons in the service of the United States, in payment for such services, the vouchers for which payment were captured by the rebels and destroyed in an attack upon the camp at Baton Rouge, Louisiana, where said John H. Crowell was stationed, on the fifth day of August, eighteen hundred and sixty-two, if, on examining the accounts of said Crowell, the Quartermaster-General shall deem said Crowell justly entitled to said credit, and shall certify his approval thereof to said accounting officers.

APPROVED, June 21, 1866

June 21, 1866.

CHAP. CXXXIV. — *An Act for the Relief of the Heirs of Lieutenant Joshua D. Todd, late of the United States Navy, deceased.*

Payment to James Todd, administrator of Joshua D. Todd.

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 be, and they are hereby, directed to pay to James Todd, administrator of Joshua D. Todd, late of the United States navy, deceased, the pay of a master in the navy of the United States, from the seventeenth day of June, eighteen hundred and forty-four, to the tenth day of August, eighteen hundred and forty-six, after deducting therefrom the amount already received by said Joshua D. Todd, deceased, as passed midshipman, during said period, and the said sum shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 21, 1866.

June 21, 1866.

CHAP. CXXXV. — *An Act for the Relief of Jonathan W. Gordon, late Major in the Eleventh Regiment of Infantry.*

Credit to be allowed J. W. Gordon in settlement of accounts.

1862, ch. 201. Vol. xii. p. 597.

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, in settling the accounts of J. W. Gordon, late major in the eleventh regiment of infantry, to allow him a credit of six hundred dollars on account of bounties paid enlisted men in accordance with the provisions of the act of July, eighteen hundred and sixty-two, but before that act went into effect.

APPROVED, June 21, 1866.

CHAP. CXXXVI. — *An Act for the Relief of Elisha W. Dunn, a Paymaster in the United States Navy.* June 21, 1866.

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 United States treasury be, and they are hereby, authorized and directed, in the settlement of the accounts of Elisha W. Dunn, a paymaster in the United States navy, to receive and allow, where the proper vouchers cannot be obtained, statements verified by his oath, or such other satisfactory evidence as he may present, of all expenditures made by him for the government, or losses sustained by him in consequence of the destruction by fire of the money, papers, and property, of the United States, in charge of the said Elisha W. Dunn, on board of the United States naval wharf-boat at Mound City, Illinois, at the burning of that vessel on the first of June, one thousand eight hundred and sixty-four.

Elisha W. Dunn, settlement of accounts of.

APPROVED, June 21, 1866.

CHAP. CXXXVII. — *An Act for the Relief of the Amoskeag Manufacturing Company.* June 22, 1866.

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 required to pay to the Amoskeag Manufacturing Company, out of any money in the treasury not otherwise appropriated, the sum of sixteen hundred and fifty dollars, in full for three regimental cook wagons, furnished to the government in eighteen hundred and sixty-one.

Payment to the Amoskeag Manufacturing Company for three cook wagons.

APPROVED, June 22, 1866.

CHAP. CXXXIX. — *An Act changing the Name of Emil Cohen.* June 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Emil Cohen, of the city of Washington, in the District of Columbia, be, and he is hereby, authorized, from and after the passage of this act, to take and use the surname of Cornely, and that his name hereafter be Emil Cornely; and all acts done and entered into by that name shall have the same effect and operation in law as if his name had originally been Emil Cornely, of Washington, in the District of Columbia.

Name of Emil Cohen changed to Emil Cornely.

APPROVED, June 23, 1866.

CHAP. CXLV. — *An Act to amend an Act entitled "An Act granting a Pension to the Widow of the late Major-General Hiram G. Berry."* June 27, 1866.

1865, ch. 135. Vol. xiii. p 600.

Whereas in the act granting a pension to the widow of the late Major-General Hiram G. Berry, approved March third, eighteen hundred and sixty-five, said widow is erroneously called Eliza Berry: Therefore,

Preamble

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 authorized and directed to place the name of Almira M. Berry, widow of Major-General Hiram G. Berry, on the pension rolls instead of Eliza Berry, as provided for by the act aforesaid.

Pension to Almira M. Berry.

APPROVED, June 27, 1866.

CHAP. CXLVI. — *An Act for the Relief of Mrs. Jerusha Witter.* 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 the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Jerusha Witter, widow of Doctor Amos Witter, late surgeon of the

Pension to Mrs. Jerusha Witter.

seventh regiment Iowa infantry volunteers, on the pension roll, at the rate of twenty-five dollars per month, to commence from the date of her application for a pension, and to continue during her widowhood.

Approved, June 27, 1866.

June 27, 1866.

CHAP. CXLVII. — *An Act for the Benefit of Ira B. Curtis.*

Pension to Ira B. Curtis.

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, directed to place Ira B. Curtis on the pension [rolls] as assistant surgeon wholly disabled in the service, at the rate of seventeen dollars per month, commencing the twenty-eighth of February, eighteen hundred and sixty-six.

Approved, June 27, 1866.

June 27, 1866.

CHAP. CXLVIII. — *An Act for the Relief of Jane Harris.*

Pension to Jane Harris.

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 hereby is, authorized and directed to place the name of Jane Harris, widow of George H. Harris, late a private in company I, sixth Iowa cavalry, now deceased, on the pension rolls as entitled to a pension at the rate of eight dollars per month during her widowhood, payment to commence from October twenty-third, one thousand eight hundred and sixty-three, the date of the death of said George H. Harris.

Approved, June 27, 1866.

June 27, 1866.

CHAP. CXLIX. — *An Act granting a Pension to Mrs. Amarilla Cook.*

Pension to Mrs. Amarilla Cook.

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 he is hereby, directed to place the name of Mrs. Amarilla Cook, widow of John B. Cook, late deputy provost-marshal of the sixteenth congressional district of the State of Ohio, on the pension roll, at the rate of seventeen dollars per month, to commence from the fifth day of March, eighteen hundred and sixty-five, and to continue during her widowhood.

Approved, June 27, 1866.

June 27, 1866.

CHAP. CL. — *An Act granting a Pension to Benjamin Franklin.*

Pension to Benjamin Franklin.

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 he is hereby, authorized and directed to place the name of Benjamin Franklin, a private in company H, second regiment Minnesota cavalry volunteers, on the pension roll, at the rate of twenty-five dollars per month, to commence from the fifteenth day of January, eighteen hundred and sixty-six, and to continue during his natural life.

Approved, June 27, 1866.

June 27, 1866.

CHAP. CLI. — *An Act granting a Pension to Mrs. Harriet B. Crocker.*

Pension to Mrs. Harriet B. Crocker.

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 he is hereby, authorized and directed to place the name of Mrs. Harriet B. Crocker, mother of Henry B. Crocker, late a private in company G, one hundred and fifteenth regiment Ohio volunteer infantry, on the pension roll, at the rate of eight dollars per month, to commence from the fourth day of October, eighteen hundred and sixty-two, and to continue during her widowhood.

Approved, June 27, 1866.

CHAP. CLII. — *An Act granting a Pension to Jane D. Brent.* 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 the Interior is hereby authorized and directed to place the name of Jane D. Brent, of Detroit, Michigan, widow of Thomas Lee Brent, late a captain in the army of the United States, on the pension roll, and to allow and pay to her a pension at the rate of twenty dollars per month, from and after the passage of this act, until her marriage or death, and after either event to continue the said pension to Mary Brent, daughter of the said Thomas Lee Brent, if then under the age of sixteen years, until she attains that age. Pension to Jane D. Brent.

APPROVED, June 27, 1866.

CHAP. CLIII. — *An Act for the Relief of Cornelius Crowley.* 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 the Interior be, and he is hereby, authorized and directed to place the name of Cornelius Crowley, late a private in company F, third regiment United States infantry, on the pension roll, at the rate of eight dollars per month, to commence from and after the passage of this act, and pay him at that rate in lieu of any other pension to which he may have been entitled. Pension to Cornelius Crowley.

APPROVED, June 27, 1866.

CHAP. CLIV. — *An Act for the Relief of A. J. Gray.* June 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Pensions be, and he hereby is, required to place the name of Andrew J. Gray, late a pilot on board the United States gunboat Judge Torrence, upon the list of invalid pensioners, at the rate prescribed for officers of his rank by act of Congress approved July fourteen, eighteen hundred and sixty-two, to be paid out of the naval fund. Pension to Andrew J. Gray. 1862, ch. 166. Vol. xii. p. 566

APPROVED, June 27, 1866.

CHAP. CLVII. — *An Act granting Land to A. M. Jess, of Josephine County, Oregon.* June 29, 1866.

Whereas the land claimed and settled upon by A. M. Jess, on Applegate river, in Josephine county, State of Oregon, under the provisions of the homestead law of May twentieth, eighteen hundred and sixty-two, has since, without his fault, become of no value to him and been in great part destroyed by a change in the channel of said river; and whereas his title to said land is still inchoate and justice requires that he should be permitted to locate and settle upon an equal quantity of other public land in lieu thereof: Therefore, Preamble. 1862, ch. 75. Vol. xii. p. 392.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said A. M. Jess be, and he is hereby, authorized to locate and settle upon one hundred and sixty acres of the public lands of the United States, in accordance with the provisions and requirements of the homestead law aforesaid, and, at the expiration of the period therein prescribed, to receive a patent therefor on the terms and conditions therein prescribed: *Provided*, That the title so acquired by him to the land heretofore located and settled upon by him as aforesaid shall revert to the United States: *And provided further*, That said new location and settlement shall not be made upon mineral lands of the United States. A. M. Jess may locate and settle upon 160 acres of public lands. Title to former location to revert to the United States. New location not to be upon mineral lands.

APPROVED, June 29, 1866.

July 4, 1866.

CHAP. CLXX. — *An Act granting a Pension to Jane E. Miles.*

Pension to Jane E. Miles.

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 is hereby authorized and directed to place upon the pension roll the name of Jane E. Miles, of Somersworth, New Hampshire, widow of William D. Miles, late a landsman in the naval service of the United States, and to allow and pay her a pension, at the rate of eight dollars per month, from the twenty-second day of March, in the year one thousand eight hundred and sixty-five, to continue during her widowhood; the said pension to be paid out of the naval pension fund.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXXI. — *An Act for the Relief of Sarah J. Purcell.*

Pension to Sarah J. Purcell.

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 he is hereby, directed to place the name of Sarah J. Purcell, widow of Charles W. Purcell, acting captain of artillery, on the pension roll, at the rate of twenty dollars a month, from the twenty-seventh day of September, eighteen hundred and sixty-four, to continue during her widowhood.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXXII. — *An Act granting a Pension to Mrs. Margaret A. Farran.*

Pension to Mrs. Margaret A. Farran.

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 he is hereby, authorized and directed to place the name of Mrs. Margaret A. Farran, widow of Abraham Farran, late a private in the twenty-fourth battery Indiana Light Artillery, on the pension roll, at the rate of eight dollars per month, to commence from the sixteenth day of February, eighteen hundred and sixty-four, and to continue during her widowhood.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXXIII. — *An Act granting a Pension to Mary C. Hamilton.*

Pension to Mrs. Mary C. Hamilton.

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 he is hereby, directed to place the name of Mrs. Mary C. Hamilton on the pension rolls, at the same rate of pension allowed her under the act passed for her benefit, and approved June third, eighteen hundred and fifty-eight, payment to commence from and after the expiration of the term created by the said act of June third, eighteen hundred and fifty-eight, and to continue for and during the term of her natural life.

APPROVED, July 4, 1866.

July 13, 1866.

1866, ch. 62. *Ante*, p. 584.

CHAP. CLXXXV. — *An Act amendatory of an Act entitled "An Act granting a Pension to Mrs. Emerance Gouler."*

Pension to Mrs. Emerance Gouler, to continue to her minor children, if, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act approved April eighteen, eighteen hundred and sixty-six, granting a pension to Mrs. Emerance Gouler, be so amended as to continue the pension granted to Mrs. Gouler, in the event of her death or remarriage, to her minor children under the age of sixteen years, had by her late husband, Charles Gouler, a private in company F, ninth New Hampshire volunteers.

APPROVED, July 13, 1866.

CHAP. CLXXXVI. — *An Act for the Relief of Mary A. Patrick.* July 13, 1866.

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 and directed to place the name of Mary A. Patrick, widow of Matthew A. Patrick, who was a captain first artillery United States army, on the pension rolls, at the rate of twenty dollars per month, said pension to commence from and after the passage of this act. Pension to Mary A. Patrick

APPROVED, July 13, 1866.

CHAP. CLXXXVII. — *An Act for the Relief of Joel Farley.* July 13, 1866.

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 he is hereby, authorized and directed to place the name of Joel Farley, late a private in company F eleventh Iowa volunteer infantry, on the pension rolls, at the rate of fifteen dollars per month. Pension to Joel Farley.

APPROVED, July 13, 1866.

CHAP. CLXXXVIII. — *An Act for the Relief of James L. Perham.* July 13, 1866.

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 he is hereby, authorized and directed to pay to James L. Perham, late of company "G" tenth regiment Maine volunteers, a pension at the rate of eight dollars per month, from February fourth, eighteen hundred and sixty-three, to November seventeenth, eighteen hundred and sixty-four, amounting to one hundred and seventy-one dollars and thirty-six cents. Pension to James L. Perham.

APPROVED. July 13, 1866.

CHAP. CLXXXIX. — *An Act for the Benefit of John W. Jones.* July 13, 1866.

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 he is hereby, required to place the name of John W. Jones, late a private in company K seventeenth regiment Ohio volunteer infantry, on the pension roll, and that he be paid a pension from the passage of this act, at the rate now allowed by law to pensioners who have suffered the loss of the right arm; and if the pension allowed to that class of pensioners should hereafter be changed by law, that said Jones shall thereafter be paid a pension according to such change. Pension to John W. Jones.

APPROVED, July 13, 1866.

CHAP. CXC. — *An Act granting a Pension to Ann Sheehey.* July 13, 1866.

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 and directed to place the name of Ann Sheehey, of Boston, Massachusetts, on the roll of invalid pensions, and pay or cause to be paid to her the sum of eight dollars per month during her widowhood; and that the proper accounting officers of the treasury be, and they are hereby, authorized and directed to settle and adjust the accounts of John Sheehey, late a private in company D, twenty-eighth Massachusetts volunteers, and to pay the said Ann Sheehey, out of any moneys in the treasury not otherwise appropriated, the amount that may be found to have been due said John Sheehey on the third day of July, eighteen hundred and sixty-three, the date of his death. Pension to Ann Sheehey. Accounts of John Sheehey to be adjusted, &c.

APPROVED, July 13, 1866.

July 13, 1866.

CHAP. CXCI. — *An Act for the Relief of Charles M. Stout, late a Second Lieutenant in Company E, Seventh Regiment Pennsylvania Reserve Corps.*

Account of Charles M. Stout to be stated.

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 War Department are hereby authorized and directed to cause to be stated the account of Charles M. Stout, late a second lieutenant of company E, seventh regiment Pennsylvania reserve corps of volunteers, and allow him pay and allowances as such officer from the date of his appointment, by general orders of Gen. McClellan, at Harrison's Landing, in Virginia, during the time he served as such officer, from August first, eighteen hundred and sixty-two, to January thirty, eighteen hundred and sixty-three, inclusive, the time he returned again to the ranks as private soldier, and that the amount thereof be paid to the said Charles M. Stout or his legal representatives.

APPROVED, July 13, 1866.

July 13, 1866.

CHAP. CXCII. — *An Act for the Relief of Lieutenant-Colonel Frank Lynch.*

Pension to Lieut.-Colonel Frank Lynch.

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 he is hereby, authorized and directed to place the name of Frank Lynch, late of the twenty-seventh regiment of Ohio volunteer infantry, on the pension rolls, at the rate of pension allowed to a lieutenant-colonel, to which rank he was commissioned, and pay him at that rate in lieu of any other pension to which he may have been entitled.

APPROVED, July 13, 1866.

July 13, 1866.

CHAP. CXCIII. — *An Act for the Relief of John Gordon.*

Pension to John Gordon.

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 he is hereby, authorized and directed to place the name of John Gordon, late of company "G," ninth United States infantry, upon the pension rolls at the rate of eight dollars per month, and pay him the same from and after the passage of this act, and to continue during his natural life.

APPROVED, July 13, 1866.

July 13, 1866.

CHAP. CXCIV. — *An Act for the Relief of J. Judson Barclay.*

Payment to J. Judson Barclay.

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 cause to be paid to J. Judson Barclay, consul at Cyprus, the sum of three thousand dollars, being the amount paid by him for the expenses of his consulate, and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED July 13, 1866.

July 13, 1866.

CHAP. CXCV. — *An Act for the Relief of Matilda I. Monroe.*

Pension to Matilda I. Monroe.

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 he is hereby, authorized and directed to place the name of Matilda I. Monroe, widow of David B. Monroe, late a sergeant in company A, sixty-second Ohio volunteers, on the pension rolls at the rate of eight dollars per month, and continue during her widowhood, commencing on the sixteenth of March, eighteen hundred and sixty-three, and in event of the death or remarriage of said Matilda I. Monroe, then to the minor children of David B. Monroe, subject to the limitations and restrictions of the pension laws.

APPROVED, July 13, 1866.

CHAP. CXCVI. — *An Act for the Relief of Lucinda Gates.* July 13, 1866.

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 he is hereby, authorized and directed to place the name of Lucinda Gates, widow of the late Horace Gates, of Franklin, Vermont, on the roll of invalid pensions, and pay to her the same pension during her widowhood, from the death of her husband, as was allowed him per special act approved July four, eighteen hundred and sixty-four.

Pension to Lucinda Gates.

1864, ch. 255. Vol. xiii. p. 586.

APPROVED, July 13, 1866.

CHAP. CXCVII. — *An Act granting a Pension to Mrs. Mary A. McManus, Widow of Captain Andrew McManus, late of the Sixty-ninth Pennsylvania Volunteer Infantry.* July 13, 1866.

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 he is hereby, directed to cause the name of Mrs. Mary A. McManus, of Philadelphia, Pennsylvania, and widow of Andrew McManus, late a captain of the Sixty-ninth regiment of Pennsylvania infantry volunteers, to be placed on the pension rolls, at the rate of twenty dollars per month, to continue during her widowhood, and to continue the said pension to the child or children of the said Andrew McManus until they arrive at the age of sixteen years, in the event of the death or marriage of the said Mary A. McManus.

Pension to Mrs. Mary A. McManus.

APPROVED, July 13, 1866.

CHAP. CXCVIII. — *An Act granting an Increase of Pension to Mrs. Mercie E. Scattergood.* July 13, 1866.

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 he is hereby, authorized and directed to cause the name of Mrs. Mercie E. Scattergood, widow of Edward Scattergood, to be placed on the roll of naval pensioners, at the rate of fifteen dollars per month, to continue during her widowhood, and to be continued to the children of said Edward Scattergood, who are under sixteen years of age, in the event of the death or marriage of the said Mercie E. Scattergood; the pension herein granted to be in lieu of that now received by her.

Pension to Mrs. Mercie E. Scattergood, in lieu of present one.

APPROVED, July 13, 1866.

CHAP. CXCIX. — *An Act for the Relief of George W. Bush.* July 13, 1866.

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 he is hereby, authorized and directed to pay to George W. Bush, of the city and county of New York, late a sergeant in company G, ninetieth regiment New York volunteers, a pension of eight dollars per month, from August twenty-ninth, eighteen hundred and sixty-three, to March third, eighteen hundred and sixty-five.

Pension to George W. Bush

APPROVED, July 13, 1866.

CHAP. CCIII. — *An Act for the Relief of A. T. Spencer and Gurdon S. Hubbard.* July 18, 1866.

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 instructed to audit and adjust the account of A. T. Spencer and Gurdon S. Hubbard, for carrying the United States mail from Chicago, Illinois, to Mackinac, Sault Ste. Marie, Marquette, Copper Harbor, Eagle Harbor, Eagle River, and Ontonagon, Michigan; La Point and Superior, Wisconsin, during the years from

Account of A. T. Spencer and Gurdon S. Hubbard to be audited and paid.

eighteen hundred and fifty-four to eighteen hundred and fifty-nine, inclusive, and allow therefor such amount as to him shall appear just and equitable, not exceeding the amount allowed for the same service to the party who afterwards performed the same under contract; and the sum by him so found due shall be paid out of the treasury of the United States out of any of the money therein not otherwise appropriated.

APPROVED, July 18, 1866.

July 18, 1866.

CHAP. CCIV. — *An Act for the Relief of Samantha Rader.*

Pension to Samantha Rader.

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 he is hereby, authorized and directed to place the name of Samantha Rader, widow of John Rader, late a private in company K, seventeenth regiment Ohio infantry, on the list of pensioners, and pay or cause to be paid to her the sum of eight dollars per month during her widowhood; and in the event of the marriage or death of the said Samantha Rader, then to the minor child or children of John Rader, subject to the limitations and restrictions of the pension laws.

APPROVED, July 18, 1866.

July 18, 1866.

CHAP. CCV. — *An Act granting [a] Pension to Jonathan W. Beach.*

Pension to Jonathan W. Beach.

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 he is hereby, authorized and directed to place or have placed upon the pension rolls the name of Jonathan W. Beach, and pay to him the sum of twenty-five dollars per month during his blindness. This act to take effect from and after its passage.

APPROVED, July 18, 1866.

July 18, 1866.

CHAP. CCVI. — *An Act granting a Pension to Mrs. Charlotte E. Reed.*

Pension to Mrs. Charlotte E. Reed.

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 is hereby authorized to issue to Mrs. Charlotte E. Reed, widow of John D. Reed, late of Falls Church, Fairfax county, Virginia, a pension certificate, and place her name on the roll of pensioners, with the pay and under the conditions and limitations of a widow of a private of infantry.

APPROVED, July 18, 1866.

July 18, 1866.

CHAP. CCVII. — *An Act for the Relief of the minor Children of Salvador Accadi, deceased.*

Pension to the minor children of Salvador Accadi.

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 he is hereby, authorized and directed to place the names of Adrian J. P. Accadi and Lavinia M. E. Accadi, minor children of the late Salvador Accadi, a musician in the United States navy, on the pension rolls, and pay, out of the naval pension fund, a pension of eight dollars per month to their legally appointed guardian, until the youngest of said children shall attain the age of sixteen years. This act to take effect from the first day of January, eighteen hundred and sixty-four.

APPROVED, July 18, 1866.

CHAP. CCXX. — *An Act for the Benefit of William G. Lee.* July 23, 1866.

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, directed to pay William G. Lee, or his legal representatives, out of any money in the treasury not otherwise appropriated, the sum of twenty-eight thousand four hundred and twenty-eight dollars and fifty cents, which said sum shall be in full payment of his claim against the United States, on account of corn purchased by him in the department of Kentucky, as the agent of the quartermaster's department, under the agreement made by him with Captain John A. Morris, in eighteen hundred and sixty-four, and which corn spoiled on his hands by reason of the government failing to furnish transportation for the same. Payment to William G. Lee.

APPROVED, July 23, 1866.

CHAP. CCXXI. — *An Act for the Relief of William H. Wheeler, of Bangor, Maine.* July 23, 1866.

Whereas William H. Wheeler, of Bangor, Maine, in the month of February, eighteen hundred and sixty-five, lost a United States bond of the denomination of five hundred dollars, issued under the act of twenty-fifth February, eighteen hundred and sixty-two, number eighteen thousand three hundred and seventy-four, with all the unpaid coupons attached, which bond has since been found mutilated and partially destroyed; and whereas thirteen of the coupons of said bond have been reclaimed in such condition as to be paid at maturity; and whereas it is uncertain whether the remaining coupons are not still in existence: Therefore — Preamble. 1862, ch. 33. Vol. xii. p. 345.

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 issue and deliver to said William H. Wheeler a duplicate of said bond, number eighteen thousand three hundred and seventy-four, without coupons attached; *Provided*, That, before issuing the same, said Wheeler shall deliver to the Secretary of the Treasury all the remaining fragments and parts of said bond, excepting the thirteen coupons which have been reclaimed as aforesaid, with a good and sufficient bond, with security to be approved by the Secretary of the Treasury, to indemnify the United States against all loss, cost, or damages incurred by reason of the issuing of said duplicate bond. Duplicate of bond to be issued to William H. Wheeler, upon his giving, &c.

APPROVED, July 23, 1866.

CHAP. CCXXII. — *An Act for the Relief of the Owners of the Hawaiian Bark "Kamahamaha V."* July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Charles Brewer and Company, of Boston, agents for the owners of the Hawaiian bark "Kamahamaha V," in coin out of any money in the treasury not otherwise appropriated, the sum of thirty-five hundred and thirty dollars, in full for the passage, on the Hawaiian bark "Kamahamaha V," of sixty-eight destitute American seamen belonging to American vessels which were burned by the Anglo-confederate pirate "Shenandoah," from the Island of Ascension to Honolulu. Payment to owners of Hawaiian bark for passage of American seamen.

APPROVED, July 23, 1866.

CHAP. CCXXIII. — *An Act for the Relief of the Owners of the Bark Maria Henry.* July 23, 1866.

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, directed to pay, out of any money in the Payment to owners of bark Maria Henry.

treasury not otherwise appropriated, the sum of twelve thousand dollars to George Hearn, agent and part owner of the bark Maria Henry, of Portland, Maine, in full compensation for the use and detention of said vessel, by the military authorities of the United States from the twenty-sixth day of February to the twenty-sixth day of May, eighteen hundred and sixty-five, inclusive; and for any and all damage for the omission of said government to load said vessel with coal for New Orleans or Port Royal.

Approved, July 23, 1866.

July 23, 1866.

CHAP. CCXXIV. — *An Act for the Relief of Edward P. McKinney, of Binghamton, New York, late Captain and Assistant Commissary of Subsistence.*

Allowance to Edward P. McKinney of $475, upon his proving, &c.

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 War and Treasury Departments be, and they are hereby, authorized to allow to Edward P. McKinney, of Binghamton, New York, late captain and assistant commissary of subsistence, upon the settlement of his accounts, the sum of four hundred and seventy-five dollars, or so much thereof as the proof shall establish, upon his proving satisfactorily to such officers that such sum was properly paid by him prior to the thirteenth day of August, eighteen hundred and sixty-four, to men of the first Rhode Island cavalry, and the first, second, and fifth United States cavalry regiments, and that his vouchers therefor were forcibly taken from him and destroyed by the enemy on the thirteenth day of August, eighteen hundred and sixty-four, between Harper's Ferry and Winchester, Virginia, without the fault of the said Edward P. McKinney.

Approved, July 23, 1866.

July 23, 1866.

CHAP. CCXXV. — *An Act for the Benefit of Henry Horne.*

Payment to Henry Horne.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Henry Horne, out of any money in the treasury not otherwise appropriated, the sum of four hundred dollars in gold, or its equivalent in United States currency, being the amount advanced by him for the use of federal prisoners at Andersonville, and used for their benefit while prisoners of war at that place during the years eighteen hundred and sixty-four and eighteen hundred and sixty-five, the payment of the said sum to act as a full release of the note given to said Henry Horne by Father Wheelan, under whose supervision the said sum of money was expended.

Approved, July 23, 1866.

July 23, 1866.

CHAP. CCXXVI. — *An Act for the Relief of William Cook.*

Payment to William Cook.

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 required to pay to William Cook, of Washington, District of Columbia, the sum of two hundred dollars, in full for the use and occupation of his land by the order of the War Department.

Approved, July 23, 1866.

July 23, 1866.

CHAP. CCXXVII. — *An Act for the Relief of the Heirs of Horace I. Hodges.*

Allowance to the heirs of Horace I. Hodges.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the settlement of the accounts with the treasury of Horace I. Hodges, deceased, late captain and assistant quartermaster United States Volunteers, there shall be allowed in his favor the sum of one thousand two hundred and fifty-six

dollars and forty cents on account of the loss of that amount of public funds in his hands by the capture of Plymouth, North Carolina, by the rebels, on the twentieth day of April, one thousand eight hundred and sixty-four, the loss being without neglect or fault on the part of said Hodges, and he having lost his life at that time in attempting to carry orders from the commanding officer at Plymouth to the United States gunboats.

APPROVED, July 23, 1866.

CHAP. CCXXVIII. — *An Act for the Relief of Liston H. Pearce.* July 23, 1866.

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, directed to pay to the Rev. Liston H. Pearce the sum of five hundred and forty dollars, out of any money in the treasury not otherwise appropriated, in full for his services as chaplain of the one hundred and thirty-second regiment of Illinois volunteers, during the recent rebellion. Payment to Rev. Liston H. Pearce.

APPROVED, July 23, 1866.

CHAP. CCXXIX. — *An Act for the Relief of James G. Holland, late Acting Assistant Paymaster United States Navy.* July 23, 1866.

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 credit James G. Holland, late acting assistant paymaster of the navy of the United States, with the sum of five hundred dollars, in the settlement of the accounts of said Holland with the Fourth Auditor of the Treasury; such credit to be given to said Holland for the sum of five hundred dollars in treasury notes of the United States lost and destroyed without any fault or neglect on the part of said Holland: *Provided*, That the final order for the allowance of the said credit shall not be made until the whole subject connected with the said alleged loss shall be fully investigated by the Fourth Auditor, and he shall certify thereto. Credit to be allowed James G. Holland in settlement of accounts.

APPROVED, July 23, 1866.

CHAP. CCLVI. — *An Act for the Relief of the Owners of the British Vessel Magicienne.* July 25, 1866.

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 money in the treasury not otherwise appropriated, to the order of the proper functionary of the government of her Majesty the Queen of Great Britain and Ireland, the sum of eight thousand six hundred and forty-five dollars, as full compensation to the owners of the British vessel Magicienne, or their legal representatives, for damages occasioned by reason of the wrongful seizure and detention of this vessel by the United States ship Onward in the month of January, eighteen hundred sixty-three, and also as full compensation to the owners and shippers of the cargo of the Magicienne; such sum to be distributed agreeably to the award of William M. Evarts and Edward M. Archibald, esquires, to whom the claim was referred for adjustment, by an agreement bearing date in November, eighteen hundred and sixty-three, between the Secretary of State on the part of the United States, and the British minister at Washington on the part of Great Britain. Payment to owners of the British vessel Magicienne, and to owners and shippers of cargo. Sum, how distributed.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLVII. — *An Act for the Relief of Thomas W. Stevens.*

Payment to Thomas W. Stevens.

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 Thomas W. Stevens, out of any money in the treasury not otherwise appropriated, the sum of one thousand and twenty-five dollars and fifty cents on account of services as inspector of customs at the port of Albany from the first day of March, eighteen hundred and sixty-two, to the first day of April, eighteen hundred and sixty-three.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLVIII. — *An Act for the Relief of Alois Klaus.*

Payment to Alois Klaus.

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 pay to Alois Klaus the sum of thirty-two dollars and ninety cents, in full payment for moneys paid by him for transportation, and due to him for rations, while in the military service of the United States.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLIX. — *An Act for the Relief of James P. Johnson.*

Payment to James P. Johnson.

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 required to pay James P. Johnson, of Iowa, the sum of two hundred and two dollars and fifty cents, out of any money in the treasury not otherwise appropriated, in full payment for his services as veterinary surgeon in the fourth Iowa cavalry.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLX. — *An Act for the Relief of Daniel Winslow.*

Daniel Winslow and his representatives relieved from contract and from judgments thereon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Daniel Winslow and his legal representatives be, and they hereby are, released and relieved from all judgments, and from all liens and encumbrances of said judgments in favor of the United States, heretofore obtained against said Winslow, in any district court of the United States, upon a contract entered into by said Winslow with the chief of the bureau of provisions and clothing, to deliver at the navy yard in Charlestown, Massachusetts, eighteen hundred barrels of navy beef; which contract was dated September twenty-nine, eighteen hundred and forty-six; meaning hereby to release the said Winslow from all liability arising out of said contract, or any bond given to secure the performance thereof, and from all judgments founded on the same, whether against himself alone, or himself and his sureties, but not to relieve him of any levies heretofore made, or sums paid on said judgments.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLXI. — *An Act for the Relief of Mrs. Eleanor C. Ransom.*

Payment to Mrs. Eleanor C. Ransom.

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 pay Mrs. Eleanor C. Ransom, out of any money in the treasury not otherwise appropriated, the sum of four hundred dollars, to compensate her for services performed by her in taking care of sick and wounded soldiers of the United States on the steamship North America, on her voyage from New Orleans to New York, in December, anno Domini eighteen hundred and sixty-four.

APPROVED, July 25, 1866.

CHAP. CCLXXI. — *An Act for the Relief of W. B. Kelley.*

July 26, 1866.

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 he is hereby, authorized and directed to pay to W. B. Kelley, late a second lieutenant in company F, first regiment Kentucky cavalry volunteers, a pension, at the rate of fifteen dollars per month, from the thirty-first day of July, eighteen hundred and sixty-three, to March thirteenth, eighteen hundred and sixty-five, amounting to two hundred and ninety-one dollars and fifty cents.

Pension to W. B. Kelley.

APPROVED, July 26, 1866.

July 26, 1866.

CHAP. CCLXXII. — *An Act granting a Pension to Mrs. Nancy A. Stocks.*

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 he is hereby, authorized and directed to place the name of Mrs. Nancy A. Stocks, widow of Reuben Stocks, late a private in company K, eighteenth regiment Illinois infantry volunteers, on the pension roll, at the rate of eight dollars per month, to commence from the eleventh day of June, eighteen hundred and sixty-three, and to continue during her widowhood.

Pension to Mrs. Nancy A. Stocks.

APPROVED, July 26, 1866.

July 26, 1866.

CHAP. CCLXXIII. — *An Act granting a Pension to Drusey A. Layman.*

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 is hereby authorized and directed to place upon the pension roll the name of Drusey A. Layman, of Palatine, Marion county, West Virginia, widow of Eugenius E. Layman, deceased, late a private in company C of the seventeenth regiment of West Virginia volunteers, and allow and pay to her a pension of eight dollars per month from the death of her husband on the thirteenth day of January, in the year eighteen hundred and sixty-five, to continue during her widowhood.

Pension to Drusey A. Layman.

APPROVED, July 26, 1866.

July 26, 1866.

CHAP. CCLXXIV. — *An Act granting a Pension to John Pyle.*

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 he is hereby, authorized and directed to place the name of John Pyle, late a sergeant in company B, one hundred and fifth regiment Indiana militia volunteers, on the pension roll, at the rate of fifteen dollars per month, to commence from and after the passage of this act, and to continue during his natural life.

Pension to John Pyle.

APPROVED, July 26, 1866.

CHAP. CCLXXV. — *An Act granting a Pension to Abraham Lansing.*

July 26, 1866.

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 he is hereby, authorized and directed to place the name of Abraham Lansing, late a master's mate in the United States navy, on the pension roll, at the rate of ten dollars per month, to commence from and after the passage of this act, and to continue during his natural life; said pension to be paid out of the naval pension fund.

Pension to Abraham Lansing.

APPROVED, July 26, 1866.

July 26, 1866. CHAP. CCLXXVI. — *An Act to extend the Time of Letters Patent issued to Thaddeus Hyatt.*

Patent of Thaddeus Hyatt for improvements in vault covers extended for seven years, upon condition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the letters patent granted to Thaddeus Hyatt on the twelfth day of November, one thousand eight hundred and forty-five, for improvements in vault-covers, and which was reissued on the third day of April, one thousand eight hundred and fifty-five, and subsequently extended by the commissioner of patents to the twelfth day of November, one thousand eight hundred and sixty-six, be, and the same is hereby extended for the term of seven years, commencing on the twelfth day November, one thousand eight hundred and sixty-six, and ending on the twelfth day of November, one thousand eight hundred and seventy-three, for the benefit of the said Thaddeus Hyatt, his heirs, and legal representatives, upon the condition hereinafter set forth. And the commissioner of patents is hereby directed, upon the presentation of said patent, and the payment of the fees and charges provided by law, to extend said patent by making a certificate thereon, upon a certified copy thereof, of such extension in the name of the said Thaddeus Hyatt, if in his judgment upon full hearing, *that* the same should be granted. And the said commissioner is hereby further directed to cause said extension if perfected to be entered on the record of the Patent Office. And the said patent so extended shall have the same effect as if originally granted for the term extending to the end of the term to which it is extended by this act: *Provided, however*, That said extended patent shall be open to legal inquiry and decision in the same manner as if issued under the general law relating to patents: *And provided further*, That all persons enjoying the lawful use of the improvement secured by said patent, and the purchaser of any machine so in use may continue to use the same as if this act had not passed.

Effect of extension.

Proviso.

APPROVED, July 26, 1866.

July 27, 1866. CHAP. CCXC. — *An Act for the Relief of John Hastings, late Surveyor and Depository of Public Moneys at Pittsburg.*

Credit to be allowed John Hastings in settlement of accounts. 1865, ch. 132. Vol. xiii. p. 599.

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 relief of John Hastings, collector of the port of Pittsburg," approved March third, eighteen hundred and sixty-five, be, and the same is hereby, amended so as to read as follows: That the Secretary of the Treasury be and he is hereby authorized and directed, in adjusting the accounts of John Hastings as depository of public *monies* at Pittsburg, Pennsylvania, to give him credit for the sum of nine thousand, nine hundred and fifty-six dollars and sixty-two cents, the amount of public money of which he was robbed on the tenth day of March, eighteen hundred and fifty-four, while acting in the aforesaid capacity.

APPROVED, July 27, 1866.

July 27, 1866. CHAP. CCXCI. — *An Act to authorize Samuel Stevens, a Stockbridge Indian, to enter and purchase a certain Tract of Land in the Stockbridge Reservation, Wisconsin.*

Samuel Stevens may enter and purchase a certain tract of land.

1865, ch. 109. Vol. xiii. p. 530.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Samuel Stevens, a Stockbridge Indian, be, and he is hereby, authorized to enter and purchase the tract of land known as lot number one hundred and twenty-six, in the Stockbridge reservation, in the county of Calumet and State of Wisconsin, under the "Act to authorize the issuing of patents for certain lands in the town of Stockbridge, Wisconsin, and for other purposes," approved March third, eighteen hundred and sixty-five.

SEC. 2. *And be it further enacted*, That the commissioner of the

general land office be, and he is hereby, authorized and directed, upon the entry and payment therefor, to cause a patent, in due form of law, to be issued to the said Samuel Stevens, in conformity with the act above mentioned.

Patent to issue to Samuel Stevens, upon, &c.

APPROVED, July 27, 1866.

CHAP. CCXCII. — *An Act for the Relief of Mrs. Ann E. Smoot, Widow of Capt. Joseph Smoot.*

July 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefit of the sixth section of "An act to amend 'An act to promote the efficiency of the navy,'" approved January sixteenth, eighteen hundred and fifty-*nine*, [seven] be, and the same is hereby, extended to Mrs. Ann E. Smoot, widow of the late Captain John Smoot, of the United States navy, and that the proper accounting officers of the treasury be authorized and directed to pay her the waiting orders pay of his rank which her said husband would be entitled to receive at the time he was placed on the reserved list on furlough pay, to the date of his death, deducting therefrom whatever amount he may have received in the mean time on account of pay.

Payment to Mrs. Ann E. Smoot. 1857, ch. 12, § 6. Vol. xi. p. 154.

APPROVED, July 27, 1866.

CHAP. CCCXIII. — *An Act for the Relief of Francis Colgen.*

July 28, 1866

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 he is hereby, directed to place the name of Francis Colgen, late a private in company B, twelfth regiment Wisconsin volunteers, upon the pension rolls of the United States, at the same rate that is allowed to soldiers or seamen who have lost the sight of both eyes in the military or naval service of the United States, subject to the biennial examination prescribed in the general pension laws; to commence on the fifteenth day of January, eighteen hundred and sixty-three, the date of his discharge from the service.

Pension to Francis Colgen

APPROVED, July 28, 1866.

CHAP. CCCXIV. — *An Act for the Relief of William Croswell.*

July 28, 1866

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 he is hereby, authorized and directed to place the name of William Croswell, of Boston, in the State of Massachusetts, on the roll of invalid pensioners, at the rate of eight dollars per month, said pension to commence on the first day of February, eighteen hundred and sixty-five; to be paid out of the naval pension fund.

Pension to William Croswell.

APPROVED, July 28, 1866.

CHAP. CCCXV. — *An Act for the Relief of Marion M. Buxton.*

July 28, 1866.

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 he is hereby, authorized and directed to place the name of Marion M. Buxton, widow of James H. Buxton, late an ensign in the United States navy, on the pension rolls, at the rate prescribed by law for officers of his rank; said pension to be paid out of the "Naval Pension Fund." And in case of the death or re-marriage of the said Marion M. Buxton, then to the minor child or children of the said James H. Buxton, subject to the limitations and restrictions of the pension laws.

Pension to Marion M. Buxton.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCXVI. — *An Act for the Relief of Quincy A. May.*

Pension to Quincy A. May.

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 he is hereby, authorized and directed to place the name of Quincy A. May, of company H, eighty-third regiment of Illinois volunteers, on the list of pensioners, and pay or cause to be paid to him the sum of eight dollars per month from the passage of this act.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCXVII. — *An Act granting a Pension to Daniel Lucas.*

Pension to Daniel Lucas.

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 he is hereby, authorized and directed to place the name of Daniel Lucas, of Plymouth, Massachusetts, formerly a private of company E, third U. S. infantry, on the roll of invalid pensions, and pay to him monthly such a sum as he may be entitled [to] under the limitations and restrictions regulating the payment of pensions.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCXVIII. — *An Act for the Relief of Robert Baldwin.*

Preamble.

WHEREAS, on the fifth day of December, eighteen hundred and forty-nine, Robert Baldwin located at the land office at Milan, in the State of Missouri, three military bounty land-warrants issued under the act of

1847, ch. 8, § 9. Vol. ix. p. 125.

eighteen hundred and forty-seven, each for one hundred and sixty acres and numbered seven thousand eight hundred and forty-seven, twenty-six thousand eight hundred and one, and fifty thousand two hundred and sixty-three, upon the following-described public lands, to wit: The west half lot number one northwest quarter section five: the east half lots number one and two northeast quarter section six in town fifty-seven range sixteen: the southeast quarter southeast quarter, the west half northeast quarter, the east half northwest quarter, the west half southeast quarter, the northeast quarter southeast quarter, and the northeast quarter southwest quarter of section thirty-one town fifty-eight range sixteen, receiving from the register of said land office at Milan, duplicate certificates of location; and whereas the said military bounty land-warrants were lost from the mail in their transmission from said land office to Washington, and have not since been heard from: therefore,

Patents to issue to Robert Baldwin for lands in Missouri upon surrender of duplicate certificates of location.

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 he is hereby, authorized and directed to cause patents for said lands to be issued to said Robert Baldwin, upon his surrendering to the commissioner of the general land office the said duplicate certificates of location.

APPROVED, July 28, 1866.

RESOLUTIONS.

[No. 22.] *A Resolution authorizing Commodore William Radford to accept a Decoration from the King of Italy.* April 13, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress be, and the same is hereby, given to Commodore William Radford, of the navy of the United States, to accept the decoration of the Equestrian Order of Saint Maurice, bestowed upon him by the king of Italy, as a reward for the assistance rendered by him to the Italian frigate Re d' Italia, when she got ashore near Long Branch.

Commodore William Radford may accept a decoration.

APPROVED, April 13, 1866.

[No. 23.] *A Resolution authorizing Rear-Admiral H. Paulding to accept a Decoration from the King of Italy.* April 13, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Rear-Admiral H. Paulding, of the navy of the United States, may accept a decoration of the Equestrian Order of St. Maurice, which has been tendered to him by the King of Italy as a reward for assistance rendered to the Italian frigate Re d'Italia when she got ashore near Long Branch.

Rear-Admiral H. Paulding may accept a decoration.

APPROVED, April 13, 1866.

[No. 28.] *Joint Resolution for the Relief of Alexander Thompson, late United States Consul at Maranham.* April 21, 1866.

Resolved 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 required to adjust and pay all proper accounts and claims of Alexander Thompson for salary and services as consul at Maranham, in Brazil, in as full and ample a manner as if he had been a citizen of the United States while discharging the duties of said office.

Accounts of Alexander Thompson to be adjusted

APPROVED, April 21, 1866.

[No 30.] *A Resolution authorizing the Secretary of the Treasury to adjust the Claim of Beals and Dixon against the United States.* May 2, 1866.

Resolved 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 cause the accounts of Beals and Dixon, for deliveries of material after May one, eighteen hundred and sixty-one, under their contracts with the United States, to be adjusted and paid; allowing to said Beals and Dixon such additional prices for material delivered after May one, eighteen hundred and sixty-one, as, in his opinion, they may be

Accounts of Beals and Dixon to be adjusted.

justly entitled to under the provisions of their supplementary contract, dated January one, eighteen hundred and fifty-seven: *Provided*, That, in the opinion of the Attorney-General, said Beals and Dixon have a legal claim upon the United States for an increase of prices under said contract.

Proviso.

APPROVED, May 2, 1866.

May 5, 1866. [No. 33.] *Joint Resolution providing for the Reappraisement of the Lands described in an Act for the Relief of William Sawyer and others of Ohio.*

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, authorized to appoint a commissioner to reappraise the lands described in the act entitled "An act for the relief of William Sawyer and others of Ohio," approved July second, eighteen hundred and sixty-four: *Provided*, however, that the occupants of said lands shall pay all the expenses of the reappraisement.

Certain lands in Ohio to be reappraised.

1864, ch. 231. Vol. xiii. p. 584.

Proviso.

APPROVED, May 5, 1866.

May 9, 1866. [No. 36.] *Joint Resolution for the Relief of Rev. Harrison Heermance, late Chaplain of [the] One Hundred and Twenty-eighth Regiment New York Volunteers.*

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Paymaster-General of the army be, and he is hereby, authorized and required to adjust and pay, out of any money appropriated or hereafter to be appropriated for the payment of the army, the account of Rev. Harrison Heermance, late chaplain of the one hundred and twenty-eighth regiment of New York volunteers, for such period as it shall appear that he actually rendered service as chaplain of said regiment, and for which he received no pay by reason of defective muster, or otherwise, through no fault of his own.

Payment to Harrison Heermance.

APPROVED, May 9, 1866.

June 21, 1866. [No. 54.] *A Resolution referring the Petition and Papers in the Case of Joseph Nock to the Court of Claims.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of Joseph Nock for damages occasioned by the annulment of his contract for furnishing locks and keys for the use of the United States mail, and also for the use of said Nock's patent in the manufacture of mail locks subsequent to such annulment, be, and it is hereby, referred to the court of claims for its decision, in accordance with the principles of equity and justice: *Provided*, That said court do not render judgment for a greater sum than is contained in the report of solicitor Comstock to the Senate, dated December twenty-two, anno Domini eighteen hundred and fifty-two.

Claim of Joseph Nock referred to court of claims.

Proviso.

APPROVED, June 21, 1866.

June 22, 1866. [No. 56.] *A Resolution for the Relief of Samuel Norris.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of Samuel Norris of California, for supplies furnished the Indians of that State, under contracts made with certain Commissioners, or either of them, authorized to negotiate treaties with said Indians, and all papers relating thereto, be referred back to the court of claims for examination and allowance; and that in fixing the amount to be paid the claimant the rule shall be the actual value of the supplies furnished at the times and places of delivery, of which due proof shall be made by the claimant.

Claim of Samuel Norris to be referred to the court of claims.

Rule for determining the amount to be paid.

APPROVED, June 22, 1866

[No. 59.] *Joint Resolution for the Relief of Charles M. Blake.* June 27, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Charles M. Blake six months' salary as chaplain in the army, in full for the pay of which he was deprived while waiting investigation into the charges preferred against him, at the close of which investigation he was restored to his position by the Secretary of War. Payment to Charles M. Blake.

See *Post*, p. 612.

APPROVED, June 27, 1866.

[No. 60.] *Joint Resolution for the Relief of Elizabeth Woodward and George Chorpenning, of Pennsylvania.* June 29, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-eight thousand one hundred and seventy-five dollars shall be paid by the Secretary of the Treasury, out of any money not otherwise appropriated, in equal moieties to Elizabeth Woodward, widow of Absalom Woodward, and George Chorpenning, for destruction of property by Indians between Salt Lake and California prior to the first of July, eighteen hundred and fifty-two; the moiety paid to the said Elizabeth Woodward to be for the use of herself and her four children. Payment to Elizabeth Woodward.

SEC. 2. *And be it further resolved*, That the further sum of twenty-six thousand three hundred and seventy dollars shall be paid in the same manner to George Chorpenning for property destroyed by Indians between Salt Lake and California prior to the first of April, eighteen hundred and fifty-six; and the amount thus paid shall be deducted from any annuities now due or that may hereafter become due to the Indians inhabiting the said territory. Payment to George Chorpenning. Amounts to be deducted from annuities.

APPROVED, June 29, 1866.

[No. 61.] *Joint Resolution for the Relief of Ambrose L. Goodrich and Nathan Cornish, for carrying the United States Mail from Boise City to Idaho City, in the Territory of Idaho, and of Daniel Wellington and J. C. Dorsey, for Extra Services in carrying the Mails.* June 29, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and is hereby, authorized to audit and settle, as to him may appear just and equitable, the demand of Ambrose L. Goodrich and Nathan Cornish for carrying the United States mail on route sixteen thousand and one, from Boise City to Idaho City, in the Territory of Idaho, from the fifth day of July, eighteen hundred and sixty-four, until the first day of July, eighteen hundred and sixty-five; *Provided*, That the amount to be allowed shall not exceed eight thousand dollars; and also to audit and settle in like manner the demand of Daniel Wellington and J. C. Dorsey, for extra services in carrying the United States mails on route number fourteen thousand six hundred and two, between the towns of Carson City and Aurora, in the State of Nevada, from July first, eighteen hundred and sixty-two, to June thirtieth, eighteen hundred and sixty-five: *Provided*, That the amount to be allowed shall not exceed ten thousand dollars. Demand of Ambrose L. Goodrich and Nathan Cornish to be audited and settled; Proviso. also that of Daniel Wellington and J. C. Dorsey. Proviso.

APPROVED, June 29, 1866.

[No. 64.] *Joint Resolution for the Relief of Joseph Parkins.* July 3, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officer of the War Department be, and he is hereby, authorized and instructed to pay to Joseph Parkins, who has been and now is delivering the stone for the construction of the arsenal at Rock Island, in the State Payment to Joseph Parkins in satisfaction of claims under contract.

of Illinois, in lieu of the contract price, the sum of thirteen dollars and fifty cents per perch for all stone delivered and to be delivered for the construction of said arsenal, and that said Parkins shall receive and accept said sum as full satisfaction of all claims under said contract, and shall never make any further claim for any services rendered by him thereunder.

APPROVED, July 3, 1866.

July 3, 1866. [No. 65.] *Joint Resolution providing for the Settlement of Accounts of W. H. Hamrick.*

Accounts of Wyatt H. Hamrick to be settled.

Be it resolved 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 directed to settle the accounts of the late Wyatt H. Hamrick, lieutenant and quartermaster of the thirty-ninth Ohio volunteers, upon equitable terms, and upon the best evidence available.

APPROVED, July 3, 1866.

July 13, 1866. [No. 68.] *Joint Resolution for the Relief of Edgar T. Harris.*

Pension to Edgar T. Harris.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of Edgar T. Harris, late of the First West Virginia Infantry, be placed on the list of pensioners and be entitled to such pension as is now or may hereafter be allowed by law to pensioners having total and permanent disability.

APPROVED, July 13, 1866.

July 23, 1866. [No. 70.] *Joint Resolution for the Relief of John Wells and Sons, of Baltimore.*

Penalty under contract to be remitted to John Wells and Sons.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the quartermaster-general, with the proper accounting officers of the Treasury Department, is hereby authorized to remit to John Wells and Sons, of Baltimore, Maryland, so much of the penalty incurred by them by reason of their failure to comply with their contract entered into on the fourth day of October, eighteen hundred and sixty-three, with Captain S. H. Dunan, A. Q. M., under the direction of the quartermaster-general, for repairing the steamer "City of Albany" as may not be covered by the actual loss of the government, by reason of the delay in completing said steamer in accordance with the strict terms of the contract.

APPROVED, July 23, 1866.

July 23, 1866. [No. 71.] *Joint Resolution for the Relief of Caroline A. Randall, Administratrix and Widow of Charles B. Randall, deceased.*

Payment to legal representatives of Lieut.-Colonel Charles B. Randall, for horse lost in the military service.

Be it resolved 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 legal representatives of Charles B. Randall, deceased, late lieutenant-colonel of the 149th regiment New York volunteer infantry, who was killed in action, on the twentieth July, eighteen hundred and sixty-four, at the battle of Beech-Tree Creek, Georgia, the sum of one hundred and seventy-five dollars, out of any money in the treasury not otherwise appropriated, as payment for one private horse used by said Randall in the military service, which horse was lost by starvation five days after the death of said Randall.

APPROVED, July 23, 1866.

[No. 72.] *Joint Resolution for the Relief of Isaac Ranney, Internal Revenue Collector for the Eighth District, Ohio.* July 23, 1866.

Preamble.

WHEREAS, on the night of the twenty-fifth day of June, A. D. eighteen hundred and sixty-five, the office of Thomas J. Robinson, deputy collector of Isaac Ranney, internal revenue collector for the eighth district, Ohio, located at Mansfield in said State, was burglariously entered by persons whose names are unknown; and whereas said burglars did, on the night aforesaid, at the office aforesaid, by means of drills and gunpowder, break into and enter the iron safe of said deputy collector, and feloniously steal and carry away revenue stamps therefrom belonging to the government of the United States to the amount of six hundred and thirty-two dollars and twenty-three cents; and whereas, further, said burglarious entry and larceny was not attributable to any neglect of duty on the part of said Thomas J. Robinson, as such deputy collector, and that said office and safe were in all respects such as were required by the law and the regulations of the Treasury Department: Therefore,

Isaac Ranney to be credited with amount of stamps stolen.

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, directed and required in the settlement of the accounts of said Isaac Ranney, as such internal revenue collector, with the government of the United States, to allow and give credit to the said Ranney for the amount of said stamps stolen as aforesaid.

APPROVED, July 23, 1866.

[No. 78.] *A Resolution to refer the Claim of the Administrator of Richard W. Meade, deceased, to the Court of Claims.* July 25, 1866.

Preamble. 1855, ch. 122. Vol. x. p. 612. 1863, ch. 92, § 9. Vol. xii. p. 765.

WHEREAS doubts are entertained whether the claim of the estate of Richard W. Meade, deceased, upon the government of the United States is covered and embraced by the ninth section of the act of third March, 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-four, eighteen hundred and fifty-five, which case was referred to the said court by resolution of the Senate, passed twenty-seventh February, eighteen hundred and sixty-one. Now, in order to remove all doubts on that subject,

Claim of Richard W. Meade, administrator, referred to court of claims.

Resolved by the Senate and House of Represenatives of the United States of America in Congress assembled, That the said claim of Richard W. Meade, administrator of Richard W. Meade, deceased, be, and the same is hereby, referred to the court of claims for adjudication thereof, pursuant to authority conferred upon said court by any existing law to examine and decide claims against the United States, referred to it by Congress.

APPROVED, July 25, 1866.

[No. 88.] *A Resolution for the Relief of Sergeant Milton McKinnon.* July 26, 1866.

Payment to Sergeant Milton McKinnon amount of lost draft.

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 pay to Sergeant Milton McKinnon the sum of fifty-eight dollars and forty-five cents, being the amount of a draft drawn in his favor by Major M. L. Martin, late paymaster in the United States army, on the assistant treasurer of the United States in New York, dated March twenty-fourth, eighteen hundred and sixty-four, and which was lost in its transmission to New York: *Provided*, That said Milton McKinnon file a duplicate of said draft, duly authenticated, with said Secretary of the Treasury; also, that the payment herein authorized shall not be made until the said McKinnon shall execute to the United States a bond, with security, to be approved by the Secretary of the Treasury, conditioned to indemnify the United States against all

Duplicate to be filed and indemnity given.

loss, cost, or damage incurred by reason of the payment hereby authorized.

APPROVED, July 26, 1866.

July 26, 1866. [No. 89.] *A Resolution authorizing the Secretary of the Treasury to audit and settle the Accounts of Caleb T. Fay and William Y. Patch, late Assessor and Collector of Internal Revenue at San Francisco.*

Accounts of Caleb T. Fay and William Y. Patch to be audited and settled.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be authorized to audit and settle the accounts of Caleb T. Fay, and William Y. Patch, late assessor and collector of internal revenue at San Francisco, as to him may appear just and equitable.

APPROVED, July 26, 1866.

July 27, 1866. [No. 94.] *A Resolution for the Relief of Charles M. Blake.*

Payment to Charles M. Blake.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to Charles M. Blake, the full pay and allowances of a chaplain in the army for one year from the eighteenth day of May, eighteen hundred and sixty-five to the seventeenth day of May, eighteen hundred and sixty-six, the same being the sum of fifteen hundred and sixty-dollars ($1560) less the amount which may have been paid him by the effect of Joint Resolution for his relief, approved June twenty-seventh, eighteen hundred and sixty-six.

Ante, p. 609.

APPROVED, July 27, 1866.

July 27, 1866. [No. 95.] *Joint Resolution for the Relief of Fontaine T. Fox, Jr.*

Payment to Fontaine T. Fox, Jr.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the government be, and they are hereby, authorized and directed to pay to Fontaine T. Fox, jr., late aide-de-camp to Brigadier-General W. T. Ward, a sum equal to the pay and allowances of a first lieutenant and aide-de-camp, from the eighth day of October, eighteen hundred and sixty-one, to the third day of April, eighteen hundred and sixty-two.

APPROVED, July 27, 1866.

July 28, 1866. [No. 103.] *Joint Resolution to reimburse Mrs. Mary Phelps, of Missouri.*

Reimbursement of Mrs. Mary Phelps.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Mrs. Mary Phelps, of Missouri, out of any money in the treasury not otherwise appropriated, the sum of twenty thousand dollars to reimburse her for expenditures made by her in raising and equipping troops for the United States in the late rebellion, and also for her expenditures made in behalf of the soldiers of the Union wounded in battle, and of the orphan children of soldiers of the Union.

APPROVED, July 28, 1866.

July 28, 1866. [No. 104.] *Joint Resolution to provide for Payment of the Claim of Colonel H. C. De Ahna for Military Services.*

Payment to Henry Charles De Ahna.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper disbursing and accounting officers of the treasury be, and they are hereby, authorized and directed to pay to Henry Charles De Ahna a sum equal to the pay, allowances, and emoluments of a colonel of infantry in active service, for

one year from the thirty-first day of March, eighteen hundred and sixty-two, and that such amount so allowed as aforesaid be paid to him out of any moneys in the treasury not otherwise appropriated. And he shall be considered honorably mustered out of the military service.

Honorably mustered out of military service.

APPROVED, July 28, 1866.

[No. 105.] *Joint Resolution authorizing the Secretary of War to contract with Dr. Alexander Dunbar.* July 28, 1866.

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 and directed to contract on such terms as, in his discretion he may think fair and reasonable, with Dr. Alexander Dunbar, for the use by the government of the alleged discovery of the said Dunbar of a mode of treatment of the diseases of the horse's foot, and for his services for one year in instructing the farriers of the army in such treatment; the amount agreed upon to be paid out of the fund already appropriated for the purchase of horses or general support of the army.

Secretary of War may contract with Dr. Alexander Dunbar, for, &c.

APPROVED, July 28, 1866.

[No. 106.] *Joint Resolution to pay Colonel Lewis F. Fix.* July 28, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the United States are hereby directed to pay to Lewis Ferdinand Fix of Ohio, the pay and emoluments of a lieutenant-colonel of infantry, for the time from the first day of March, eighteen hundred and sixty-five, to the twenty-ninth of July, eighteen hundred and sixty-five.

Payment to Lewis Ferdinand Fix as lieutenant-colonel

APPROVED, July 28, 1866.

[No. 107.] *Joint Resolution authorizing the Secretary of the Interior to pay Charles M. Pott a Pension of fifteen Dollars per Month.* July 28, 1866.

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, authorized and directed to pay or cause to be paid to Charles M. Pott, late of company K, one hundred and seventy-ninth Pennsylvania militia, now on the pension roll, the same pension provided for, for persons having lost one hand in the military service of the United States, as provided in section one of an act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six.

Pension to Charles M. Pott.

1866, ch. 106, § 1. *Ante*, p. 56.

APPROVED, July 28, 1866.

[No. 108.] *Joint Resolution to authorize the Payment of Rev. C. B. Boynton, as Chaplain of the House of Representatives of the Thirty-ninth Congress.* July 28, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Rev. Charles B. Boynton is authorized to draw the amount appropriated to the payment of the chaplain of the House for the Thirty-ninth Congress.

Payment to Rev. Charles B. Boynton, as Chaplain of the House.

APPROVED, July 28, 1866.

PRIVATE 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. I. — *An Act granting a Pension to Mrs. Katharine F. Winslow.* Dec. 12, 1866.

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 he is hereby, authorized and directed to place the name of Mrs. Katharine F. Winslow, mother of Cleveland Winslow, late lieutenant-colonel of the fifth New York Veteran volunteer infantry, on the pension roll, at the rate of thirty dollars per month, to commence from the seventh day of July, eighteen hundred and sixty-four, and to continue during her widowhood.

Pension to Mrs. Katharine F. Winslow.

APPROVED, December 12, 1866.

CHAP. II. — *An Act confirming the Title of Alexis Gardapier to a certain Tract of Land in the County of Brown and State of Wisconsin.* Dec. 15, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of Alexis Gardapier to a certain tract of land situate in the county of Brown and State of Wisconsin, described in the report of the commissioners to examine titles and claims in the territory of Michigan as "lying on the west bank of Fox river, and more particularly known as being a vacant strip lying between a tract number one, confirmed to Jacques Porlier, on the north, and tract number two, confirmed to Louis Grignon, on the south, commencing at low-water mark, and running west eighty arpens, and in width three arpens on the aforesaid river," be, and the same is hereby, confirmed, and the commissioner of the general land office is hereby authorized to cause the said tract of land to be surveyed in the same manner as other private claims to lands in Green Bay have been surveyed, and directed to issue a patent therefor, according to the provisions of the fifth section of the act of Congress approved February twenty-one, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," which shall be recorded in the office of the register of deeds for the county aforesaid, for the benefit of the heirs or assigns of the said Alexis Gardapier.

Claim of Alexis Gardapier to land in Wisconsin confirmed.

Land to be surveyed, and patent to issue. 1823, ch. 10, § 5. Vol. iii. p. 725.

APPROVED, December 15, 1866.

Dec. 15, 1866.

CHAP. III. — *An Act releasing to Francis S. Lyon the Interest of the United States in certain Lands.*

Release to Francis S. Lyon of land in Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any interest which the United States have in the lands described in a deed executed by Wager Swayne, assistant commissioner of the Bureau of Freedmen and Abandoned Lands, in the State of Alabama, to Francis S. Lyon, bearing date February third, eighteen hundred and sixty-six, be, and the same is hereby, released and confirmed to the said Lyon.

APPROVED, December 15, 1866.

Jan. 22, 1867.

CHAP. XIII. — *An Act for the Relief of Lewis Dyer, late Surgeon of the Eighty-First Regiment Illinois Volunteers.*

Accounts of Lewis Dyer to be audited and settled.

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 required to audit and settle the accounts of Lewis Dyer, late surgeon of the eighty-first regiment Illinois volunteers, and allow him the pay and emoluments of surgeon of volunteers, from the sixth day of April, eighteen hundred and sixty-three, to the twenty-sixth day of May following, deducting therefrom any amount which may appear to have heretofore been paid him by error.

APPROVED, January 22, 1867.

Jan. 22, 1867.

CHAP. XIV. — *An Act for the Relief of James Pool.*

Payment to James Pool.

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 he is hereby, authorized and directed to pay to James Pool the sum of twelve hundred and eighty-seven dollars and ten cents, out of any money in the treasury not otherwise appropriated: *Provided*, That four hundred and eighty-seven dollars and fifty cents of said amount shall be paid out of any annuities or moneys payable to the Senecas and Shawnee Indians, if there be any, and if none, then the whole sum to be paid out of the treasury of the United States.

APPROVED, January 22, 1867.

Jan. 31, 1867.

CHAP. XVIII. — *An Act for the Relief of Catharine Welsh.*

Catharine Welsh to receive bounty, &c. due John Welsh without further proof of his death.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Catharine Welsh, widow of private John Welsh, late of company E, twenty-sixth regiment of Illinois volunteer infantry, be authorized to receive the bounty, back pay, and allowances due to said John Welsh, without being required to make other or further proof of his death than that already furnished.

APPROVED, January 31, 1867.

Jan. 31, 1867.

CHAP. XIX. — *An Act for the Relief of Solomon P. Smith.*

Payment to Solomon P. Smith.

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 Solomon P. Smith, late a captain in the one hundred and fifteenth regiment of New York volunteers, out of any money in the treasury not otherwise appropriated, the sum of two hundred and sixty dollars for his pension from the fourteenth day of January, eighteen hundred and sixty-five, when he was mustered out of the service, until the fifteenth day of February, eighteen hundred and sixty-six, the date of the filing of his application for a pension with the commissioner of pensions.

APPROVED, January 31, 1867.

CHAP. XX. — *An Act for the Relief of Josiah O. Armes.* Jan. 31, 1867.

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 required to pay to Josiah O. Armes, out of any money in the treasury not otherwise appropriated, the sum of nine thousand five hundred dollars, in full for damages sustained by him in consequence of the burning of his buildings and the destruction of his property at Anandale, Fairfax county, Virginia, by the United States troops.

Payment to Josiah O. Armes, for property destroyed in Virginia by United States troops.

APPROVED, January 31, 1867.

CHAP. XXI. — *An Act for the Relief of Matilda Harmon, of the County of Greene, and State of Tennessee, Widow of Jacob Harmon.* Jan. 31, 1867.

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 he is hereby, authorized to place the name of Matilda Harmon, of the county of Greene, and State of Tennessee, widow of Jacob Harmon, on the pension roll at the rate of eight dollars per month, to commence on the seventeenth day of December, eighteen hundred and sixty-one, and to continue during her widowhood.

Pension to Matilda Harmon.

Repealed. See act July 19, 1867. Vol. xv. ch. 31.

APPROVED, January 31, 1867.

CHAP. XXII. — *An Act for the Relief of George W. Fish.* Jan. 31, 1867.

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 pay to George W. Fish, the sum of one thousand eight hundred and twenty-five dollars and four cents, out of any money in the treasury not otherwise appropriated, in full pay for consular services as United States consul at Ningpo, China, and for exchange due him.

Payment to George W. Fish for consular services, &c.

APPROVED, January 31, 1867.

CHAP. XXIII. — *An Act for the Relief of Mrs. Mary E. Finney, Widow of First Lieutenant Solon H. Finney, late of the Sixth Regiment Michigan Cavalry.* Jan. 31, 1867.

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 Mrs. Mary E. Finney, widow of Lieutenant Solon H. Finney, a lieutenant in the sixth regiment Michigan cavalry, the three months' extra pay proper, which he by law would have been entitled to receive had he been mustered out of service after April ninth, anno Domini eighteen hundred and sixty-five, he having died of wounds received in battle on said ninth day of April, anno Domini eighteen hundred and sixty-five.

Payment to Mary E. Finney of the extra pay, &c.

APPROVED, January 31, [1]867.

CHAP. XXIV. — *An Act for the Relief of Barbury Frye, Widow of Henry Frye.* Jan. 31, 1867.

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 he is hereby, authorized to place the name of Barbury Frye, widow of Henry Frye, of the county of Greene and State of Tennessee on the pension roll at the rate of eight dollars per month, to commence on the twenty-seventh day of November, eighteen hundred and sixty-one, and to continue during her widowhood.

Pension to Barbury Frye.

APPROVED, January 31, 1867.

Jan. 31, 1867.

CHAP. XXV. — *An Act for the Relief of William A. Hinshaw and Jacob M. Hinshaw, Minor Children of Jacob M. Hinshaw, deceased.*

Pension to William A. Hinshaw and Jacob M. Hinshaw.

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 he is hereby, authorized to place the names of William A. Hinshaw and Jacob M. Hinshaw, of Greene county, Tennessee, minor children of Jacob M. Hinshaw, deceased, on the pension roll, subject to the privileges and limitations of the pension laws in regard to orphan children, and to commence on the twenty-seventh day of November, eighteen hundred and sixty-one.

APPROVED, January 31, 1867.

Feb. 5, 1867.

CHAP. XXXIII. — *An Act for the Relief of Captain James Starkey.*

Payment to James Starkey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to pay to James Starkey, late captain of the St. Paul light cavalry, the amount by him paid to Richard Postel, for the loss of a horse killed in a fight with Indians, in eighteen hundred and fifty-seven.

APPROVED, February 5, 1867.

Feb. 8, 1867.

CHAP. XXXV. — *An Act for the Relief of E. J. Curley.*

Payment to E. J. Curley, for corn.

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 required to pay, or cause to be paid, E. J. Curley, out of any money in the treasury not otherwise appropriated, the sum of thirty-four thousand two hundred and forty-eight dollars and fifty-two cents, as compensation in full for corn purchased of him by Captain E. B. W. Reslieaux, assistant-quartermaster, on the part of the government.

APPROVED, February 8, 1867.

Feb. 15, 1867.

CHAP. XXXIX. — *An Act for the Relief of Rufus C. Spalding, Paymaster in the* the *United States Navy.*

Credit to be allowed Rufus C. Spalding in the settlement of his accounts.

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 required, in adjusting the accounts of Rufus C. Spalding, as paymaster in the navy of the United States, to cause the said Spalding to be credited with the sum of fourteen thousand five hundred and sixty-three dollars and seventy-three cents, being the sum of money stolen from the government safe at the naval station at Mound City, Illinois, on the night of the twenty-first of December, one thousand eight hundred and sixty-five, which sum stands charged to his account as U. S. paymaster at said naval station: *Provided*, That nothing herein shall be so construed as to exempt from official or personal liability, or upon his bond, assistant-paymaster J. S. Harvey.

Proviso.

APPROVED, February 15, 1867.

Feb. 15, 1867.

CHAP. XL. — *An Act for the Relief of the Sureties of James T. Pollock, late Receiver at Crawfordsville, Indiana.*

Sureties on the official bond of James T. Pollock released, and suits against them discontinued.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Robert C. Gregory, Henry Crawford, William Galey, and the other sureties of James T. Pollock, late receiver at Crawfordsville, Indiana, by bond to the United States dated January thirtieth, in the year of our Lord eighteen hundred and

thirty-seven, be, and they are hereby, released from their said liability arising from any defalcation, omission, or misconduct of the said James T. Pollock as such receiver, and the proper officer of the Treasury Department be, and he is hereby, authorized and directed to dismiss any and all suits that may have been instituted, and are now pending in favor of the United States, against the sureties aforesaid, growing out of the default of the said receiver, James T. Pollock.

APPROVED, February 15, 1867.

CHAP. XLIX. — *An Act for the Relief of Alexander F. Pratt.* Feb. 18, 1867.

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, directed to pay to Alexander F. Pratt three hundred dollars, in full for pursuing and capturing one Elijah K. Jauner, convicted of counterfeiting United States coin, out of any money in the treasury not otherwise appropriated. Payment to Alexander F. Pratt.

APPROVED, February 18, 1867.

CHAP. L. — *An Act granting a Pension to Mrs. Jane Clements.* Feb. 18, 1867.

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 he is hereby, directed to place the name of Mrs. Jane Clements, of the District of Columbia, widow of Ignatius Clements, deceased, on the pension roll, and that he pay her a pension at the rate of eight dollars per month, during her widowhood, commencing on the first day of August, eighteen hundred and sixty-four, the date of her husband's death. This act shall entitle the said Jane Clements to the benefit of the second section of the act approved July twenty-fifth, eighteen hundred and sixty-six, in regard to minor children of deceased soldiers, if it shall be established to the satisfaction of the commissioner of pensions that she has such minor child or children as would entitle her to the benefit of said section. Pension to Mrs. Jane Clements. 1866, ch. 235, § 2. *Ante*, p. 230.

APPROVED, February 18, 1867.

CHAP. LI. — *An Act granting an additional Pension to Samuel Downing, one of the last surviving Soldiers of the Revolutionary War.* Feb. 18, 1867.

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 he is hereby, directed to place upon the pension roll the name of Samuel Downing, one of the last surviving soldiers of the revolutionary war, for an additional pension, at the rate of five hundred dollars per annum, from the third day of September, anno Domini eighteen hundred and sixty-six, and to continue during the remainder of his life. Additional pension to Samuel Downing.

APPROVED, February 18, 1867.

CHAP. LII. — *An Act for the Relief of Lemuel Worster.* Feb. 18, 1867.

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 he is hereby, directed to place the name of Lemuel Worster, of Lebanon, York county, and State of Maine, upon the roll of invalid pensioners, and pay to him the sum of eight dollars per month. Pension to Lemuel Worster.

APPROVED, February 18, 1867.

Feb. 18, 1867.

CHAP. LIII. — *An Act for the Relief of Hiram Hedrick.*

Pension to Hiram Hedrick.

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 he is hereby, authorized and directed to place the name of Hiram Hedrick, of Peoria, Illinois, late a private in company D, eleventh regiment, Illinois cavalry, on the pension rolls, at the rate of twenty-five dollars per month, and to pay him at this rate in lieu of the pension he is now receiving.

APPROVED, February 18, 1867.

Feb. 18, 1867.

CHAP. LIV. — *An Act for the Relief of Mrs. Elizabeth Fletcher.*

Pension to Mrs. Elizabeth Fletcher.

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 he is hereby, authorized and directed to place the name of Elizabeth Fletcher, widow of Captain L. W. Fletcher, late of company A, thirteenth regiment Tennessee cavalry, on the list of invalid pensioners, and pay or cause to be paid to her during widowhood, the sum of twenty dollars per month from the date of the death of her late husband; and in the event of the death or remarriage of Elizabeth Fletcher, the Secretary of the Interior is then authorized and directed to pay to the legally appointed guardian of the orphan children of Captain L. W. Fletcher, the pension awarded to Elizabeth Fletcher, until they shall respectively attain the age of sixteen years.

If she dies or remarries, pension to be paid to the guardian of the children of Capt. L. W. Fletcher, until, &c.

APPROVED, February 18, 1867.

Feb. 18, 1867.

CHAP. LV. — *An Act for the Relief of John Morean, of Machias, N. Y.*

Pension to John Morean.

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 he is hereby, authorized and directed to place the name of John Morean, of Machias, N. Y., a soldier of the war of eighteen hundred and twelve, upon the pension rolls, at the rate of eight dollars per month, and to continue during his natural life.

APPROVED, February 18, 1867.

Feb. 22, 1867.

CHAP. LXVIII. — *An Act for the Relief of John Gray, a Revolutionary Soldier.*

Pension to John Gray.

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 he is hereby, directed to place the name of John Gray, of Noble county, Ohio, upon the pension roll, and that there be paid to said John Gray, out of any money in the treasury not otherwise appropriated, the sum of five hundred dollars per annum during his natural life, payable semi-annually, commencing on the first day of July, eighteen hundred and sixty-six.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LXIX. — *An Act granting an increased Pension to John J. Sohan.*

Pension to John J. Sohan.

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 he is hereby, directed to allow and pay John J. Sohan, in consequence of total blindness, resulting from disease contracted in the line of his duty as a marine in the United States navy, a pension at the rate of twenty-five dollars per month, commencing on the sixteenth day of August, eighteen hundred and sixty-six, and to continue during said disability, in lieu of the pension heretofore allowed to said Sohan by the Secretary of the Interior on the thirteenth day of October, eighteen hundred and sixty-six, to be paid out of the naval pension fund.

APPROVED, February 22, 1867.

CHAP. LXX. — *An Act for the Relief of the Children of Solomon Long, under sixteen Years of Age.* Feb. 22, 1867.

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 he is hereby, authorized, and directed to place upon the pension roll the names of the children under sixteen years of age of Solomon Long, deceased, who was a private in company E, fifth regiment Kentucky cavalry volunteers, under the provisions of the existing laws in similar cases, to take effect from and after the passage of this act.

Pension to certain children of Solomon Long.

APPROVED, February 22, 1867.

CHAP. LXXI. — *An Act for the Relief of Daniel Frederick Bakeman, a Revolutionary Soldier.* Feb. 22, 1867.

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 he is hereby, directed to place the name of Daniel Frederick Bakeman, of Sandusky, New York, upon the pension roll, and there be paid to said Daniel Frederick Bakeman, out of any money in the treasury not otherwise appropriated, the sum of five hundred dollars per annum during his natural life, payable semi-annually, commencing on the first day of July, eighteen hundred and sixty-six.

Pension to Daniel F. Bakeman.

APPROVED, February 22, 1867.

CHAP. LXXII. — *An Act for the Relief of Delia A. Jacobs, late Delia A. Fitzgerald.* Feb. 22, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Delia A. Jacobs (late Fitzgerald) administrator of Jesse Fitzgerald, deceased, who obtained a patent for an improved method of dressing treenails, dated twenty-eighth day of August, eighteen hundred and forty-nine, for fourteen years, which expired on the twenty-eighth August, eighteen hundred and sixty-three, be authorized to apply to the commissioner of patents for the extension of said patent for seven years under the rules and regulations now in force for the extension of patents, as if she had made application previous to its expiration as required by law; and the commissioner of patents is directed to investigate and decide the application for extension on the same evidence, and in the same manner as other applications for extension are decided; *Provided*, That the application for extension be made within thirty days after approval of this act, and the decision of the commissioner be rendered within ninety days from the filing of said application in the patent office; and *Provided, also*, That nothing herein shall be so construed as to hold responsible in damages any person who may have manufactured treenails, or built or used machines containing the aforesaid improvement between the expiration of the patent and the approval of this act; and *Provided, also*, That the commissioner shall be satisfied before granting such *entension* [extension], that it will enure entirely to the benefit of said Delia A. Jacobs.

Delia A. Jacobs may apply for an extension of patent.

Application to be made within what time.

Provisos.

APPROVED, February 22, 1867.

CHAP. LXXIII. — *An Act for the Relief of John C. McFerran, of the United States Army.* Feb. 22, 1867.

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 be, and they are hereby, directed to credit John C. McFerran, of the United States army, with the sum of twelve hundred and sixty-five dollars, being the amount for which, as assistant commissary of subsistence in said army, he erroneously receipted to Francis F.

Credit of $1265 to be allowed John C. McFerran.

Thomas, also an assistant commissary in said army, in excess of the amount of money actually paid over to him by the said Thomas, at Santa Fe, in the Territory of New Mexico, in November, one thousand eight hundred and fifty.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LXXIV. — *An Act for the Relief of James C. Cook.*

James C. Cook may apply for extension of patent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James C. Cook have leave to make application to the commissioner of patents for an extension of his letters patent, which were issued for the term of fourteen years, from the twenty-seventh day of July, eighteen hundred and fifty-two, for an improvement in machines for forming button backs and connecting the eyes thereto, in the same manner as if he had filed his petition for an extension at least ninety days prior to the expiration of said patent, and that the commissioner of patents be authorized to consider and determine said application in the same manner as if it had been filed ninety days before the expiration of the patent.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LXXV. — *An Act for the Relief of Catharine Mock.*

Pension to Catharine Mock.

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 he is hereby, required to place upon the pension roll the name of Catharine Mock, of the city of Baltimore, widow of William H. Mock, who was ordnance-sergeant, and died, at or near Fort Mifflin, in eighteen hundred and thirty-seven; and that she be paid a pension at the rate of eight dollars per month, to commence from the first day of May, eighteen hundred and sixty-five, and continue during her natural life.

APPROVED, February 22, 1867.

Feb. 25, 1867.

CHAP. LXXXIV. — *An Act for the Relief of Kennedy O'Brien.*

Pension to Kennedy O'Brien.

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 he is hereby, authorized and directed to increase the pension of Kennedy O'Brien, late a private in company K, fifth regiment Indiana volunteers, from eight dollars per month to twenty-five dollars per month, and to pay him such increased pension from the passage of this act.

APPROVED, February 25, 1867.

Feb. 25, 1867.

CHAP. LXXXV. — *An Act granting a Pension to Charles N. Weiss.*

Pension to Charles N. Weiss.

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 he is hereby, authorized and directed to place the name of Charles N. Weiss, of the District of Columbia, on the pension roll, at the rate of fifteen dollars per month, to commence from the passage of this act and to continue during his natural life.

APPROVED, February 25, 1867.

Feb. 25, 1867.

CHAP. LXXXVI. — *An Act granting a Pension to Olivia W. Cannon.*

Pension to Olivia W. Cannon.

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 he is hereby, authorized and directed to place the name of Olivia W. Cannon, widow of Joseph S. Cannon, late a midshipman in the

United States navy, upon the pension roll, at the rate of ten dollars per month, to commence upon the presentation of satisfactory proof of identity and widowhood, and to continue during her widowhood; said pension to be paid out of the naval pension fund.

APPROVED, February 25, 1867.

CHAP. LXXXVII. — *An Act for the Benefit of Mrs. Jerusha Page.* Feb. 25, 1867.

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 he is hereby, authorized and directed to place the name of Mrs. Jerusha Page, of the State of Missouri, the widow of the late Thomas C. Page, deceased, on the pension roll, at the rate of eight dollars per month, to commence from the passage of this act and to continue during her widowhood. Pension to Jerusha Page.

APPROVED, February 25, 1867.

CHAP. LXXXVIII. — *An Act granting a Pension to Mrs. Adeline M. Gould.* Feb. 25, 1867.

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 he is hereby, authorized and directed to place the name of Mrs. Adeline M. Gould, mother of Eugene E. Gould, late a private in company F, third regiment Rhode Island cavalry volunteers, on the pension roll at the rate of eight dollars per month, to commence from the twenty-second day of December, eighteen hundred and sixty-four, and to continue during her widowhood. Pension to Adeline M Gould.

APPROVED, February 25, 1867.

CHAP. LXXXIX. — *An Act granting a Pension to John Carter.* Feb. 25, 1867.

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 he is hereby, authorized and directed to place the name of John Carter, late a private in company H, fifth regiment United States infantry, on the pension roll, at the rate of fifteen dollars per month, to commence from the passage of this act and to continue during his natural life. Pension to John Carter.

APPROVED, February 25, 1867.

CHAP. XC. — *An Act for the Relief [of] Charles Appleton.* Feb. 25, 1867.

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 he is hereby, authorized and directed to increase the pension of Charles Appleton, late a soldier in the United States army, from eight dollars per month to fifteen dollars per month, and to pay him such increased pension from the passage of this act. Pension of Charles Appleton increased.

APPROVED, February 25, 1867.

CHAP. XCI. — *An Act for the Relief of Mary A. Smith, of Johnson County, Tennessee, Widow of Alexander D. Smith, deceased.* Feb. 25, 1867.

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 he is hereby, instructed to place the name of Mary A. Smith of Johnson county, Tennessee, on the pension rolls, at the rate of thirty dollars per month, to commence from the fifth day of November, eighteen hundred and sixty-three, and to continue during her widowhood, upon satisfactory proof that she was and is the widow of Alexander D. Pension to Mary A. Smith.

Smith, late a lieutenant-colonel of the thirteenth regiment Tennessee cavalry volunteers.

APPROVED, February 25, 1867.

Feb. 25, 1867.

CHAP. XCII. — *An Act granting a Pension to Mrs. Ernestine Becker.*

Pension to Ernestine Becker.

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 he is hereby, authorized and directed to place the name of Mrs. Ernestine Becker, widow of Leopold Becker, late captain of company D, twenty-fourth regiment Illinois infantry volunteers, on the pension roll, at the rate of twenty dollars per month, to commence from the fifth day of May, eighteen hundred and sixty-five, and to continue during her widowhood.

APPROVED, February 25, 1867.

Feb. 25, 1867.

CHAP. XCIII. — *An Act for the Relief of Caroline McGee, of Greene County, Tennessee, Widow of Lemuel McGee, deceased.*

Pension to Caroline McGee.

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 he is hereby, authorized to place the name of Mrs. Caroline McGee, of the county of Greene, and State of Tennessee, on the pension roll, at the rate of eight dollars per month, to commence on the twenty-seventh day of November, eighteen hundred and sixty-four, and to continue during her widowhood, upon satisfactory proof that she was and is the widow of Lemuel McGee, late of Tennessee, who died while imprisoned at Belle Island, or Richmond, Virginia, during the late rebellion.

APPROVED, February 25, 1867.

Feb. 25, 1867.

CHAP. XCIV. — *An Act granting a Pension to Mrs. Josephine Slocum.*

Pension to Josephine Slocum.

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 he is hereby, authorized and directed to place the name of Mrs. Josephine Slocum, widow of Martin N. Slocum, late a second lieutenant in the Sixty-fifth regiment United States colored infantry, on the pension roll at the rate of fifteen dollars per month, to commence from the thirtieth day of May, eighteen hundred and sixty-five, and to continue during her widowhood.

APPROVED, February 25, 1867.

Feb. 25, 1867.

CHAP. XCV. — *An Act granting a Pension to Ezra B. Gordon.*

Pension to Ezra B. Gordon.

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 he is hereby, authorized and directed to place the name of Ezra B. Gordon, late a private in company "F," fourth regiment New Hampshire volunteers, on the pension roll, subject to the provisions of the pension laws.

APPROVED, February 25, 1867.

Feb. 25, 1867.

CHAP. XCVI. — *An Act for the Relief of Edward St. Clair Clarke.*

Edward St. Clair Clarke to be allowed $4022 for loss of public funds by theft.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the settlement of the accounts of Edward St. Clair Clarke, as assistant paymaster United States navy, there shall be allowed him the sum of four thousand and twenty-two dollars on account of the loss of that amount of public funds in his hands, by theft, on the night of the ninth of May, eighteen hundred and

sixty-three, the loss being without neglect or fault on the part of the said Clarke.

APPROVED, February 25, 1867.

CHAP. XCVII. — *An Act granting a Pension to Patrick Meehan.* Feb. 25, 1867.

Pension to Patrick Meehan.

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 he is hereby, authorized and directed to place the name of Patrick Meehan, late a corporal in company I, eighty-ninth regiment Indiana volunteers, on the pension roll, subject to the provisions of the pension laws, to commence from the sixth day of June, eighteen hundred and sixty-six.

APPROVED, February 25, 1867.

CHAP. CIV. — *An Act for the Relief of Henry S. Davis.* Feb. 28, 1867.

Payment to Henry S. Davis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of five thousand seven hundred and twenty dollars and four cents be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the relief of Henry S. Davis, which shall be in full of the claim of said Davis against the United States for work done by him on the west wing of the patent-office building, under his contract of November six, eighteen hundred and fifty-seven.

APPROVED, February 28, 1867.

CHAP. CV. — *An Act for the Relief of Captain John J. Young, of the United States Navy.* Feb. 28, 1867.

Payment to Captain John J. Young.

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 required to audit and allow to Captain John J. Young, of the navy of the United States, the pay of captain of the "retired list" of the navy of the United States, from the twelfth day of August, eighteen hundred and fifty-four, the date of the commission of said John J. Young as captain aforesaid, to the tenth day of March, eighteen hundred and sixty-five, deducting therefrom all moneys which have been paid to the said Captain John J. Young, by the United States, between the dates above given.

APPROVED, February 28, 1867.

CHAP. CVI. — *An Act for the Relief of James Tetlow.* Feb. 28, 1867.

Payment to James Tetlow.

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 to pay James Tetlow, contractor with the navy department, for building the four steam tug-boats called "Fortune," "Speedwell," "Standish," and "Mayflower," respectively, the sum of eighty-six thousand and four hundred dollars, and that the same be paid from any money heretofore appropriated for constructing vessels or machinery therefor, and not otherwise already expended.

APPROVED, February 28, 1867.

CHAP. CVII. — *An Act for the Relief of William Mann and Jacob Senneff.* Feb. 28, 1867.

William Mann and Jacob Senneff may apply for extension of patent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of patents be, and is hereby, authorized to hear and determine upon the application of William Mann for an extension of his letters patent dated January eleventh, eighteen hundred and fifty-three, which expires July eleventh,

eighteen hundred and sixty-six; and upon the application of Jacob Senneff for an extension of his letters patent for wire heddles, dated January thirteenth, eighteen hundred and fifty-two, which expired January thirteenth, eighteen hundred and sixty-six, and to decide upon said applications with like effect as though the said applications had been duly filed ninety days before the expiration of said letters patent; and the commissioner of patents is directed forthwith to publish the said application for the extension of said letters patent with like effect as though said publication had been made sixty days before the expiration of said letters patent. But no person shall be held liable for damage for using or making said heddles after the expiration of the original term of the patent and before the renewal.

Application to be published.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CVIII. — *An Act for the Relief of Henry P. Blanchard.*

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, directed, out of any money in the treasury not otherwise appropriated, to pay to Henry P. Blanchard, for his services as marshal at the port of Canton, in China, from February twenty-second, one thousand eight hundred and fifty-eight, to the first of July, one thousand eight hundred and sixty, the sum of two thousand three hundred and fifty-four dollars and twenty-four cents.

Payment to Henry P. Blanchard.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CIX. — *An Act for the Relief of Hiram Paulding, Rear-Admiral United States Navy.*

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 be, and they are hereby, directed to audit the accounts of Hiram Paulding while a captain in the United States navy, covering his expenditures in the entertainment of foreign officers and people who visited the frigate "Saint Lawrence," under his command, at Southampton, not exceeding the sum of nine hundred and sixty-three dollars and ninety-two cents; and also his expenditures in entertaining the officers of the governments of Bremerhaven and Stockholm, in the years eighteen hundred and forty-eight, eighteen hundred and forty-nine, and eighteen hundred and fifty, not exceeding the sum of two thousand six hundred and ninety dollars.

Accounts of Hiram Paulding to be audited, and allowances made.

For appropriation, see act of March 30, 1867. Vol. xv. ch. 26.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CX. — *An Act granting back Pension to Margaret Boucher.*

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 he is hereby, authorized and directed to pay to Margaret Boucher, widow of Michael Boucher, late of the twenty-sixth regiment of the District of Columbia militia, a pension at the rate of eight dollars per month, from the death of her husband to the date of her pension certificate, October eighteenth, eighteen hundred and sixty-six.

Pension to Margaret Boucher.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CXI. — *An Act for the Relief of James Riddle.*

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 he is hereby, aut[h]orized and directed to place the name of James Riddle, a resident of the city of New York, and late of company

Pension to James Riddle.

"G," eighth United States infantry, on the pension rolls, at the rate of eight dollars per month, to commence from the twenty-ninth day of July, eighteen hundred and sixty-three.

APPROVED, February 28, 1867.

CHAP. CXII. — *An Act for the Relief of J. and O. P. Cobb & Co.* Feb. 28, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the treasurer of the United States be, and he is hereby, authorized and directed to pay to J. and O. P. Cobb & Co., of Aurora, Indiana, the sum of seven thousand eight hundred and ninety dollars and eighteen cents, out of any money heretofore or hereafter appropriated and applicable to the payment of claims against the quartermaster's bureau, in full discharge of all claim of the said J. and O. P. Cobb & Co. for hay taken and destroyed by order of General Boyle, on the Ohio river, in July, eighteen hundred and sixty-three.

Claim of J. and O. P. Cobb & Co. for hay to be paid.

APPROVED, February 28, 1867.

CHAP. CXIII. — *An Act for the Relief of the Orphan Children of John Faris.* Feb. 28, 1867.

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 he is hereby, authorized and directed to pay, or cause to be paid, to the legally appointed guardian of the orphan children of John Faris, deceased, formerly of Paris, Henry county, Tennessee, until they severally attain the age of sixteen years, the pension awarded to the orphan children of soldiers killed in the line of duty, the same to be paid under the restrictions and limitations of the general pension laws.

Pension to children of John Faris.

APPROVED, February 28, 1867.

CHAP. CXIV. — *An Act granting a Pension to Peter Fisher.* Feb. 28, 1867.

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 he is hereby, authorized and directed to place the name of Peter Fisher, late a member of company G, thirty-seventh regiment Iowa infantry, on the pension rolls, subject to the provisions of the pension laws, commencing on the twenty-fourth day of June, eighteen hundred and sixty-four, the date of his discharge.

Pension to Peter Fisher.

APPROVED, February 28, 1867.

CHAP. CXV. — *An Act for the Relief of Rufus L. Harvey.* Feb. 28, 1867.

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 he is hereby, authorized and directed to place the name of Rufus L. Harvey, who enlisted in Captain Pitts' company of light artillery, in the war of eighteen hundred and twelve, on the pension list, and pay or cause to be paid to him the sum of eight dollars per month.

Pension to Rufus L. Harvey.

APPROVED, February 28, 1867.

CHAP. CXVI. — *An Act for the Relief of Thomas Glasgow.* Feb. 28, 1867.

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 he is hereby, authorized and directed to place the name of Thomas Glasgow, who was in the service of the United States from November, eighteen hundred and fourteen, until June, eighteen hundred and

Pension to Thomas Glasgow.

fifteen, on the pension rolls, at the rate of eight dollars per month, commencing March fourth, eighteen hundred and sixty-one, and to continue the same during his natural life.

Approved, February 28, 1867.

Feb. 28, 1867.

CHAP. CXVII. — *An Act granting a Pension to Joseph Wrenn.*

Pension to Joseph Wrenn.

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 he is hereby, authorized and directed to place the name of Joseph Wrenn, late a private in company "M," ninth New York cavalry, on the pension rolls, subject to the provisions of the pension laws.

Approved, February 28, 1867.

Feb. 28, 1867.

CHAP. CXVIII. — *An Act for the Relief of Ann I. Duchman.*

Pension to Ann I. Duchman.

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 he is hereby, authorized and directed to place the name of Ann I. Duchman on the pension list, and pay, or cause to be paid to her, the pension to which she would have been entitled had her late husband, Lieutenant-Colonel John N. Duchman, of the seventy-ninth Pennsylvania volunteers, been killed in battle instead of having died from disease contracted while in service; the payment of said pension to be under the restrictions and limitations of the general pension laws.

Approved, February 28, 1867.

Feb. 28, 1867.

CHAP. CXIX. — *An Act for the Relief of Francis Barron.*

Pension to Francis Barron.

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 he is hereby, authorized and directed to place the name of Francis Barron, late of the third Iowa battery, on the pension list, and pay, or cause to be paid to him, from the date of his discharge, the pension that he would have been allowed had a pension been granted by the commissioner of pensions; the pension of Francis Barron to be paid and to be continued under the restrictions and limitations of the general pension laws.

Approved, February 28, 1867.

Feb. 28, 1867.

CHAP. CXX. — *An Act increasing the Pension of John Russell.*

Pension of John Russell increased.

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 he is hereby, authorized and directed to increase the pension of John Russell, who was granted a pension of eight dollars per month, to commence from the seventh day of September, eighteen hundred and forty-nine, from eight dollars to twenty dollars per month.

Approved, February 28, 1867.

Feb. 28, 1867.

CHAP. CXXI. — *An Act for the Relief of Levisa Daniel.*

Pension to Levisa Daniel.

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 he is hereby, authorized and directed to pay to Levisa Daniel, widow of Joseph Daniel, late of the first Tennessee volunteers, a pension, at the rate of eight dollars per month, from the ninth day of May, eighteen hundred and sixty-two, to the eleventh day of September, eighteen hundred and sixty-five.

Approved, February 28, 1867.

CHAP. CXXII. — *An Act granting a Pension to Mary Fitzpatrick.* Feb. 28. 1867.

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 he is hereby, authorized and directed to place the name of Mary Fitzpatrick, widow of James W. Fitzpatrick, late an acting assistant surgeon United States army, who died at Harwood Hospital on or about May sixth, eighteen hundred and sixty-four, on the pension rolls, at the rate of seventeen dollars per month, commencing at the death of her husband, subject to the provisions of the pension laws. Pension to Mary Fitzpatrick.

APPROVED, February 28, 1867.

CHAP. CXXIII. — *An Act granting Arrears of Pension to Lewis A. Horton.* Feb. 28, 1867.

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 he is hereby, authorized and directed to increase the pension of Lewis A. Horton, of Newburyport, Massachusetts, who was wounded on board the gunboat "Rhode Island," from eight dollars to twenty-five dollars per month, from the fourth day of July, eighteen hundred and sixty-four, to the sixth day of June, eighteen hundred and sixty-six, to be paid out of the naval pension fund. Pension to Lewis A. Horton.

APPROVED, February 28, 1867.

CHAP. CXXIV. — *An Act for the Relief of Mary B. Fowler.* Feb. 28, 1867.

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 he is hereby, authorized and directed to place the name of Mary B. Fowler, of Cleveland, Ohio, on the pension rolls, at the rate of eight dollars per month, subject to the provisions of the law relative to dependent mothers of deceased soldiers. Pension to Mary B. Fowler

APPROVED, February 28, 1867.

CHAP. CXXV. — *An Act for the Relief of George W. Knabb.* Feb. 28, 1867.

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 he is hereby, authorized and directed to pay, or cause to be paid, to the legally appointed trustee of Captain George W. Knabb, late of company A, eighty-eighth Pennsylvania volunteers, a pension at the rate of twenty dollars per month from the date of his discharge from the service of the United States to the time when he commenced receiving a pension from the government. Pension to George W. Knabb.

APPROVED February 28, 1867.

CHAP. CXXVI. — *An Act for the Relief of Daniel McMahon.* Feb. 28, 1867.

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 he is hereby, authorized and directed to pay to Daniel McMahon, late a captain in the twentieth regiment New York State militia, a pension at the rate of twenty dollars per month, from June twenty-ninth, eighteen hundred and sixty-four, to February twenty-seventh, eighteen hundred and sixty-six. Pension to Daniel McMahon.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CXXVII. — *An Act for the Relief of William H. Hafer.*

Pension to William H. Hafer.

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 he is hereby, authorized and directed to place the name of William H. Hafer, late of company "E," second Pennsylvania cavalry, on the pension list, and pay, or cause to be paid to him, the sum of fifteen dollars per month; and in the event of the death of said William H. Hafer, leaving a widow or orphan children, then the Secretary of the Interior is authorized and directed to pay the aforesaid pension to the widow or orphan children, under the limitations and restrictions as provided by the general pension laws; this act to take effect from and after its passage.

Approved, February 28, 1867.

Feb. 28, 1867.

CHAP. CXXVIII. — *An Act increasing the Pension of Isabella Fogg.*

Pension of Isabella Fogg increased. 1866, ch. 51.

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 he is hereby, authorized and directed to increase the pension of Isabella Fogg, who was granted a pension of eight dollars per month by an act of Congress approved April seventeenth, eighteen hundred and sixty-six, from eight dollars to twenty dollars per month.

Approved, February 28, 1867.

Feb. 28, 1867.

CHAP. CXXIX. — *An Act for the Relief of Elizabeth Staley.*

Pension to Elizabeth Staley.

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 he is hereby, authorized and directed to place the name of Elizabeth Staley, of Cincinnati, Ohio, mother of Theodore A. Jones, by adoption, and who died while a private of company "C," second regiment Missouri cavalry, in the service of the United States, on the pension roll at eight dollars per month, commencing September seventeenth, eighteen hundred and sixty-four, and to continue while she remains a widow.

Approved, February 28, 1867.

Feb. 28, 1867.

CHAP. CXXX. — *An Act granting a Pension to Mary Hosea.*

Pension to Mary Hosea.

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 cause to be placed on the rolls of invalid pensioners the name of Mary Hosea, widow of James Hosea, late of Carbondale, Luzerne county, Pennsylvania, at the rate allowed by and subject to the general laws applicable to deputy provost-marshals, and to continue during widowhood.

Approved, February 28, 1867.

Feb. 28, 1867.

CHAP. CXXXI. — *An Act granting a Pension to David B. Champion.*

Pension to David B. Champion.

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 he is hereby, authorized and directed to place the name of David B. Champion, late of company A, one hundred and eighty-third Pennsylvania volunteers, on the pension rolls, at the rate of fifteen dollars per month.

Approved, February 28, 1867.

CHAP. CXXXII. — *An Act granting a Pension to John Rogers.* Feb. 28, 1867.

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 he is hereby, authorized and directed to place the name of John Rogers, a soldier in the war of eighteen hundred and twelve, and a private in Captain James Payne's company of Virginia militia, on the pension rolls, at the rate of eight dollars per month. Pension to John Rogers.

APPROVED, February 28, 1867.

CHAP. CXXXIII. — *An Act for the Relief of Mary A. Cross.* Feb. 28, 1867.

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 he is hereby, authorized and directed to cause to be paid to Mary A. Cross, of Fremont, Ohio, widow of Hubbard H. Cross, late private in company F, seventy-second regiment Ohio volunteer infantry, a pension from the twelfth day of June, anno Domini eighteen hundred and sixty-two, (the date of the death of her husband,) to the date at which the pension heretofore granted to her commenced, and at the same rate. Pension to Mary A. Cross.

APPROVED, February 28, 1867.

CHAP. CXXXIV. — *An Act granting Arrears of Pension to Sally Allen.* Feb. 28, 1867.

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 he is hereby, authorized and directed to cause to be paid to Sally Allen, widow of Isaac Allen, of Maine, twenty-five dollars and thirty-three cents, being the amount due her husband by special act of April twenty-sixth, eighteen hundred and sixty-four, at the time of his death. Payment to Sally Allen of arrears of pension. 1864, ch. 161. Vol. xiii. p. 581.

APPROVED, February 28, 1867.

CHAP. CXXXV. — *An Act granting a Pension to Effie J. Harvey.* Feb. 28, 1867.

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 he is hereby, authorized and directed to place the name of Effie J. Harvey, widow of Clinton D. Harvey, late an acting assistant paymaster in the United States navy, on the pension rolls, subject to the provisions of the pension laws. Pension to Effie J. Harvey.

APPROVED, February 28, 1867.

CHAP. CXXXVI. — *An Act for the Relief of Nancy Hinton.* Feb. 28, 1867.

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 he is hereby, authorized and directed to place the name of Nancy Hinton, widow of John Hinton, late a private in Davis County Home Guard, on the pension roll, at the rate of eight dollars per month, and continue during her widowhood; and in the event of the marriage or death of said Nancy Hinton, then to the minor children of John Hinton, subject to the limitations and restrictions of the pension laws. Pension to Nancy Hinton.

APPROVED, February 28, 1867.

CHAP. CXXXVII. — *An Act granting a Pension to William Gleason.* Feb. 28, 1867.

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 he is hereby, authorized and directed to place the name of William Gleason, who enlisted on the fifth day of November, eighteen Pension to William Gleason.

hundred and sixty, at Newport barracks, State of Kentucky, and was discharged on the fourteenth day of October, eighteen hundred and sixty-two, on the pension rolls, at the rate of twenty-five dollars per month.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CXXXVIII. — *An Act for the Relief of Milton Velzy.*

Payment to Milton Velzy.

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 he is hereby, directed to pay, out of any funds which may have been appropriated for the payment of pensions, to Milton Velzy, of Machias, Cattaraugus county, New York, late a private in company "C," one hundred and fourth regiment New York volunteers, the sum of two hundred and forty-nine dollars and eighty cents, it being at the rate of six dollars per month from the twenty-fourth day of December, eighteen hundred and sixty-two, to the thirteenth day of June, eighteen hundred and sixty-six.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CXXXIX. — *An Act granting back Pension to Mary J. Dexter.*

Payment of pension to Mary J. Dexter.

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 he is hereby, authorized and directed to place the name of Mary J. Dexter, widow of David H. Dexter, late a second lieutenant in the thirty-fourth regiment of Wisconsin volunteer infantry, on the pension rolls, and to pay her a pension of fifteen dollars per month, from the twenty-fifth day of March, eighteen hundred and sixty-three, to the tenth day of July, eighteen hundred and sixty-six.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CXL. — *An Act for the Relief of Charles Valence.*

Pension to Charles Valence.

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 he is hereby, directed to place the name of Charles Valence, late a private in company "E," forty-second regiment of Pennsylvania volunteers, upon the pension roll, at the rate of eight dollars a month from the eighth day of September, eighteen hundred and sixty-two, the date of his discharge, up to the twenty-seventh day of January, eighteen hundred and sixty-four, the date of the commencement of his pension as allowed by the pension office.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CXLI. — *An Act for the Relief of Mrs. Rachel McClelland.*

Pension to Mrs. Rachel McClelland.

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 he is hereby, authorized and directed to pay, or cause to be paid, to Mrs. Rachel McClelland, widow of private John F. McClelland, deceased, late of company "E," sixteenth regiment Ohio volunteers, a pension at the rate of eight dollars per month, from the nineteenth day of September, eighteen hundred and sixty-two, to the sixth day of November, eighteen hundred and sixty-six, at which latter date she was duly placed on the pension roll by the said Secretary.

APPROVED, February 28, 1867.

CHAP. CXLII. — *An Act increasing the Pension of Levi M. Roberts.* Feb. 28, 1867.

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 he is hereby, authorized and directed to place the name of Levi M. Roberts, who was granted a pension by a special act of Congress, in May, eighteen hundred and thirty, on the pension rolls, at the rate of fifteen dollars per month, and to pay him at that rate from the sixth day of June, eighteen hundred and sixty-six, in lieu of any pension to which he may be entitled.

Pension of Levi M. Roberts increased.
1830, ch. 97, § 5. Vol. vi. p. 417.

APPROVED, February 28, 1867.

CHAP. CXCVIII. — *An Act for the Relief of Richard Chenery.* March 2, 1867.

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 is hereby authorized to examine the claim of Richard Chenery, of California, for eight thousand dollars, alleged to be due him for beef furnished to George P. Armstrong, temporary Indian agent for the tribes of Indians on Russian river, and at Clear lake, and for which said Armstrong executed receipts, dated March twenty-three and May twenty-three, eighteen hundred and fifty-two, and if he shall believe, from such examination, that the property was furnished in good faith, and that the government is justly indebted to the claimant as alleged, he shall cause the amount so found to be due to be paid to the said Chenery or his legal representatives: *Provided*, That in no event shall any greater sum than eight thousand dollars be paid: *And provided further*, That the sum paid shall be accepted in full and lasting discharge of this claim.

Claim of Richard Chenery to be examined, &c.

APPROVED, March 2, 1867.

CHAP. CXCIX. — *An Act to authorize the Change of a Name.* March 2, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Nathan Sargent Dustin be, and he is hereby, authorized to change his name by dropping therefrom the name of Dustin, and to bear that of Nathan Sargent, and that this act shall take effect from the first of January, eighteen hundred and sixty-seven.

Name of Nathan Sargent Dustin changed to Nathan Sargent.

APPROVED, March 2, 1867.

CHAP. CC. — *An Act for the Relief of Sylvanus Sawyer and William E. Ward.* March 2, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of patents, upon due application made to him, is authorized to extend the patents of Sylvanus Sawyer, for an improvement in machinery for cutting rattan, dated June twenty-fourth, eighteen hundred and fifty-one, and which expired on the twenty-fourth day of June, eighteen hundred and sixty-five, and the patent of William E. Ward, for an improved machine for making rivets and screw blanks, dated December twenty-eighth, eighteen hundred and fifty-two, and which expired on the twenty-eighth day of December, eighteen hundred and sixty-six, upon the same evidence and principles as if applications had been made to him by said patentees respectively, in due time prior to the expiration of said patents: *Provided*, That in case the commissioner on due inquiry shall extend such patents or either of them, that all persons who shall have made use of said inventions or machines, or either of them, between the periods of the expiration of said patents and the extension of the same by the commissioner, shall be relieved from all liability for said use.

Patents of Sylvanus Sawyer, and that of William E. Ward may be extended.

Proviso.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CCI. — *An Act for the Relief of Mrs. Elizabeth F. Chipman, Widow of Major Charles Chipman, deceased.*

Payment to Elizabeth F. Chipman.

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, out of any money in the treasury not otherwise appropriated, to pay to Mrs. Elizabeth F. Chipman, widow of Major Charles Chipman, deceased, late of the twenty-ninth regiment Massachusetts volunteers, one hundred and twenty-five dollars, in payment for horse lost by her said husband in the military service on the eighteenth of August eighteen hundred and sixty-three.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CCII. — *An Act for the Relief of Ernst F. Kleinschmidt, of Cincinnati, Ohio.*

Payment to Ernst F. Kleinschmidt.

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 pay to Ernst F. Kleinschmidt, of Cincinnati, Ohio, out of any money in the treasury not otherwise appropriated, the sum of twelve hundred and fifty dollars, to reimburse him for the same sum paid by him to the collector of internal revenue for the second district in Ohio for four city lots in Cincinnati, which lots were sold by said collector to the said Ernst F. Kleinschmidt for the payment of internal revenue tax, and which tax was subsequently declared by the superior court of Cincinnati to have been illegally assessed, and the sale of said lots to said Ernst F. Kleinschmidt held to have been null and void.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CCIII. — *An Act for the Relief of Henry Rudd, of Henry County, Iowa.*

Payment to Henry Rudd.

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 pay to Henry Rudd, of Henry county, Iowa, the sum of nine thousand one hundred and fifty dollars, out of any money in the treasury not otherwise appropriated, in full for all losses and compensation to said Henry Rudd for horses purchased and delivered under a contract with the government.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CCIV. — *An Act for the Relief of James M. Bishop.*

Payment to James M. Bishop for services.

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, directed to ascertain and allow to James M. Bishop, of Quincy, Illinois, for services in March and April, anno Domini eighteen hundred and sixty-three, to finish the work left undone on the assessment lists in the fourth district of Illinois, by Mr. Sutkin, an assistant assessor, at his decease, such a sum, not exceeding two hundred and thirty-six dollars, as shall be equal to that now fixed by law to be paid assistant assessors for such service; the said sum of money, when ascertained, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CCV. — *An Act to authorize the Secretary of the Treasury to pay [a] certain Draft to W. W. Potter, late Acting Military Agent of the State of New York.*

Payment to W. W. Potter of amount of draft.

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 cause to be paid to

W. W. Potter, late acting military agent of the State of New York, the sum of two hundred dollars in lieu of draft No. 7,828 on war warrant No. 9,861, dated September twenty-ninth, eighteen hundred and sixty-six, payable to the order of Andrew Smith, for the sum of two hundred dollars; the said Potter having paid to the said Smith the said sum of two hundred [dollars] therefor: *Provided*, That before payment of said warrant the said W. W. Potter shall execute a bond of indemnity to the United States with sufficient sureties against the claim of the payee in said warrant.

APPROVED, March 2, 1867.

CHAP. CCVI. — *An Act for the Relief of Oliver Lumphrey.* March 2, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the paymaster-general of the United States army be, and he is hereby, required to cause to be paid out of any money appropriated, or which may hereafter be appropriated, for the payment of the army of the United States, to Oliver Lumphrey, late first lieutenant first New York cavalry, a sum that shall be equal to the pay of a first lieutenant of cavalry of the United States army, in active service, from the thirtieth day of March, anno Domini eighteen hundred and sixty-five, to the thirteenth day of June, anno Domini eighteen hundred and sixty-five, deducting therefrom any amount that he may have received as pay of a non-commissioned officer or private for the same period of time.

Payment to Oliver Lumphrey.

APPROVED, March 2, 1867.

CHAP. CCVII. — *An Act for the Relief of Reverend Samuel M. Beatty, of Ohio.* March 2, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Samuel M. Beatty, of Ohio, out of any money in the treasury not otherwise appropriated, the sum of four hundred and thirteen dollars and sixty cents, the pay and allowance due to him as chaplain from January twelfth, eighteen hundred and sixty-three, to April twenty-fifth, eighteen hundred and sixty-three, at the United States hospital at Cleveland, Ohio.

Payment to Samuel M. Beatty.

APPROVED, March 2, 1867.

CHAP. CCVIII. — *An Act for the Relief of the Heirs of John E. Bouligny.* March 2, 1867.

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, confirmed to Mary Elizabeth Bouligny, Corinne Bouligny, and Felice Bouligny, the widow and children of John E. Bouligny, deceased, the one-sixth part of the land claim of Jean Antoine Bernard d'Autrive, in the State of Louisiana, said one-sixth part amounting to seventy-five thousand eight hundred and forty acres; and that, inasmuch as the said land embraced in said claim *have* [has] been already appropriated by the United States to other purposes, certificates of new location, in eighty-acre lots, be issued to the said Mary Elizabeth Bouligny, for her own benefit and that of her said minor children, in lieu of said lands, to be located at any land office in the United States, upon any public lands subject to private entry at a price not exceeding one dollar and twenty-five cents per acre. The commissioner of the general land office is hereby directed to issue said certificates of new location, in accordance with existing regulations in such cases.

Land claim of heirs of John E. Bouligny confirmed, and new certificates to issue.

Execution of this act suspended. Joint Res. No. 35. March 30, 1867. Vol. xv.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CCIX. — *An Act for the Relief of Joshua H. Butterworth.*

Application of Joshua H. Butterworth for extension of patent to be considered.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of patents is hereby authorized and empowered to proceed upon, determine, and decide the application of Joshua H. Butterworth for an extension of his patent for his "Improvement in safe and bank locks," the same as though the patent had not been extended once already; and the said commissioner shall examine the said application, and decide upon the same on the same evidence and in the same manner as in other cases where extensions of patents are applied for, and without regard to the time when said application is made.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CCX. — *An Act for the Relief of Frank Pugsley, late a Private Soldier in Company I, of the Third Regiment of New Hampshire Volunteers.*

Pay, &c. of Frank Pugsley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the final settlement of the accounts of Frank Pugsley, as a private soldier in Company I, of the third regiment of New Hampshire volunteers, the accounting officers of the treasury are authorized and required to regard the date of his discharge from the service of the United States as of the twenty-fourth day of October, eighteen hundred and sixty-two, and to compute his pay and allowances as such soldier to that time.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CCXI. — *An Act for the Relief of William H. Webb.*

Release to William H. Webb, &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 Navy be, and he is hereby, authorized and directed to release to William H. Webb, of New York, all right, title, interest and demand of the United States in and to the iron-clad steamship Dunderburg, built by said Webb under a contract with the Navy Department, upon payment by said Webb into the treasury of the United States, within one year from the passage of this act, any and all sums of money paid or advanced by the secretary, or by his order, to said Webb on account of said contract.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CCXII. — *An Act for the Relief of James Fulton, Paymaster United States Navy.*

Credit allowed to James Fulton.

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 government be, and they are hereby, authorized and directed in the settlement of the accounts of James Fulton, paymaster United States navy, to allow a credit of seventeen thousand two hundred and thirteen dollars and ninety-five cents, for clothing and small stores, abstracted from the inspection building in charge of said Fulton while on duty at the navy yard, Washington.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CCXIII. — *An Act for the Relief of Captain Elias Beale, late Captain Company H, Eighth Regiment Tennessee Volunteer Infantry.*

Account of Elias Beale to be paid.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the paymaster-general of the United States army be, and he is hereby, authorized and directed to settle and pay, out of any money appropriated or hereafter to be appropriated for the payment of the army, the account of Elias Beale,

late a captain of company H, eighth regiment Tennessee volunteer infantry, for his services and all allowances as captain in said regiment in the service of the United States, from the twenty-fifth day of July, eighteen hundred and sixty-three, to the thirtieth day of June, eighteen hundred and sixty-five, being to the time he was mustered out of said service, deducting from the same all moneys that have been paid to him as a private in said service during said time.

APPROVED, March 2, 1867.

CHAP. CCXIV. — *An Act for the Relief of Thomas D. Burrall.* March 2, 1867.

Extension of patent granted to Thomas D. Burrall.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the letters patent granted to Thomas D. Burrall on the sixth day of December, one thousand eight hundred and forty-five, for improvements in corn-shellers, and which was extended by the commissioner of patents and afterwards surrendered and reissued, which reissue bears date the tenth day of October, one thousand eight hundred and sixty-five, and which will expire on the sixth day of December, one thousand eight hundred and sixty-six, be, and the same is hereby, extended for the term of seven years, commencing on the said sixth day of December, one thousand eight hundred and sixty-six and ending on the sixth day of December one thousand eight hundred and seventy-three, for the benefit of the said Burrall, his heirs and legal representatives, upon the conditions hereinafter set forth. And the commissioner of patents is hereby directed, upon the presentation of said patent and the payment of the fees and charges provided by law, to extend said patent by making a certificate thereon, or upon a certified copy thereof, of such extension in the name of the said Thomas D. Burrall, if in his judgment upon full hearing that the same should be granted. And the said commissioner is hereby further directed to cause said extension, if perfected, to be entered on the record of the patent office. And the said patent, so extended, shall have the same effect as if originally granted for the term extending to the end of the term to which it is extended by this act. *Provided, however*, That said extended patent shall be open to legal inquiry and decision in the same manner as if issued under the general law relating to patents. *And provided further*, That all persons enjoying the lawful use of the improvements secured by said patent, and the purchaser of any machine so in use, may continue to use the same as if this act had not passed.

APPROVED, March 2, 1867.

CHAP. CCXV. — *An Act to extend to, and for the Benefit of, Eliza Wells, Letters Patent heretofore issued to Henry A. Wells, deceased.* March 2, 1867.

Certain letters patent extended to Eliza Wells.

WHEREAS, Henry A. Wells, late of the city of New York, did obtain letters patent of the United States for valuable "improvements in the process of and machinery for making hat bodies," which letters patent bore date the twenty-fifth day of April, eighteen hundred and forty-six, and were granted for the term of fourteen years from said date; and whereas the said Henry A. Wells departed this life on the twenty-seventh day of March, eighteen hundred and fifty-one, leaving Eliza Wells, of the said city of New York, his widow, to whom letters of administration on the estate of said Henry A. Wells were duly granted; and whereas the said letters patent were reissued to Charles St. John and others, assignees, in two divisions, one bearing date the thirtieth day of September, eighteen hundred and fifty-six, and numbered three hundred and ninety-six, and the other bearing date the seventh day of October, eighteen hundred and fifty-six, and numbered four hundred; and whereas the said reissued letters patent were duly extended by the commissioner

of patents on the twenty-fifth day of April, eighteen hundred and sixty, for the term of seven years from said last-mentioned date, for the benefit of the said Eliza Wells, administratrix as aforesaid; and whereas, on the fourth day of December, eighteen hundred and sixty, said reissued and extended letters patent were surrendered and again reissued to Henry A. Burr, assignee, in two divisions, numbered ten hundred and eighty-six and ten hundred and eighty-seven; and whereas said reissued letters patent, numbered ten hundred and eighty-six, were surrendered and again reissued on the seventeenth day of June, eighteen hundred and sixty-two, said reissued letters patent being numbered thirteen hundred and eighteen; and whereas said extended term will expire the twenty-fifth day of April, eighteen hundred and sixty-seven; and whereas it appears that said invention is of great value and importance to the public, and that the said Henry A. Wells in his lifetime, and the said Eliza Wells, administratrix as aforesaid since his decease, failed to receive from the use and sale of said invention a reasonable remuneration for the time, ingenuity, and expense bestowed upon the same, and the introduction thereof into use: Now therefore,

Patent extended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said reissued letters patent, numbered one thousand and eighty-seven, and bearing date the fourth day of December, eighteen hundred and sixty, and said reissued letters patent, numbered one thousand three hundred and eighteen, and bearing date the seventeenth day of June, eighteen hundred and sixty-two, be, and the same are hereby, extended to and for the benefit of the said Eliza Wells, as administratrix of the estate of the said Henry A. Wells, deceased, for the further term of seven years from and after the twenty-fifth day of April, eighteen hundred and sixty-seven.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CCXVI. — *An Act for the Relief of Hugh Leddy.*

Payment to Hugh Leddy.

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 hereby is, authorized and required to pay Hugh Leddy, out of any money in the treasury not otherwise appropriated, the sum of six hundred and eighty-two dollars and forty cents, in full for liquors wrongfully seized, by order of the provost-marshal, on the second of September, eighteen hundred and sixty-two, and appropriated to the use of government through the medical department.

APPROVED, March 2, 1867.

RESOLUTIONS.

[No. 2.] *A Resolution in Relation to the Settlement of the Accounts of William P. Wingate, Collector at the Port of Bangor, Maine.* Jan. 5, 1867.

Preamble.

WHEREAS certain goods (molasses and salt) were imported by Fisk and Dale, Josiah Towle, and Morse and Company, and held in bond at the custom-house in Bangor, Maine, on the second day of May, anno Domini eighteen hundred and sixty-four, and were on that day released and withdrawn upon payment of the duties imposed thereon prior to the enactment of the joint resolution of April twenty-nine, eighteen hundred and sixty-four, the collector not then having received official notice of such enactment; and whereas the said collector is now charged with fifty per centum additional to the amount already paid upon said goods, and claims to hold the importers to pay the same to him: Therefore,

Vol. xiii. p. 405.

In settling the accounts of William P. Wingate, certain additional duty not to be exacted.

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 and directed, in the settlement of the accounts of William P. Wingate, collector at the port of Bangor, Maine, not to exact from him the payment of the additional duty of fifty per centum imposed by the joint resolution of April twenty-ninth, eighteen hundred and sixty-four, on the merchandise withdrawn for consumption by the parties aforesaid on the second day of May, eighteen hundred and sixty-four, and to order the cancellation of the several bonds given by the importers in the above cases.

APPROVED, January 5, 1867.

[No. 9.] *A Resolution for the Relief of Mrs. Abby Green.* Jan. 29, 1867.

Preamble.

WHEREAS it appears from the evidence of General H. C. Hobart, Colonel A. D. Streight, and Captain John F. Porter, Jr., late of the United States army, that Mrs. Abby Green, then of Richmond, Virginia, by her courage, patriotic devotion and assistance, from May eighteen hundred and sixty-three to February eighteen hundred and sixty-four, enabling one hundred and nine officers and soldiers of the United States to make their escape from Libby prison, in Richmond, Virginia, and from the hands of our enemies, has deserved well of the country:

Payment to Abby Green.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one thousand five hundred dollars be paid to said Abby Green, her heirs or administrator, in compensation for her services, out of any money in the treasury not otherwise appropriated.

APPROVED, January 29, 1867.

[No. 10.] *Joint Resolution for the Relief of William D. Nelson.* Jan. 31, 1867.

Payment to William D. Nelson for services in recruiting.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to William D. Nelson one thousand dollars for his services in recruiting for the Union army in East Tennessee during the years eighteen hundred and sixty-one and eighteen hundred and sixty-two.

APPROVED, January 31, 1867.

Feb. 8, 1867. [No. 13.] *Joint Resolution for the Relief of certain Settlers on the Sioux Reservation, in the State of Minnesota.*

Certain settlers on the Sioux reservation may enter their lands at the minimum price, &c.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That those persons who settled and made improvements upon lands now included in the Sioux reservation in Minnesota, and filed notice of their claims in the proper local land office, before the boundaries of said reservation were definitely surveyed and located, shall be, and are hereby authorized to enter the lands thus settled upon, as in other cases of pre-emption, upon the payment of one dollar and twenty-five cents per acre therefor, under such rules and regulations as may be provided by the Secretary of the Interior.

APPROVED, February 8, 1867.

Feb. 18, 1867. [No. 18.] *A Resolution for the Relief of Paul S. Forbes, under his Contract with the Navy Department for building and furnishing the Steam Screw Sloop-of-War "Idaho."*

The steam screw sloop-of-war "Idaho," to be accepted from Paul S. Forbes, in discharge of his contract, for the money already paid him.

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 is hereby, instructed to accept the steam screw sloop-of-war "Idaho," of the contractor, Paul S. Forbes, at the price of five hundred and fifty thousand dollars, already paid said Forbes, and which shall be in full discharge of his contract with the Navy Department on account of said steamship.

APPROVED, February 18, 1867.

Feb. 18, 1867. [No. 19.] *A Resolution for the Relief of Charles Clark, Marshal of the United States for the District of Maine.*

Allowance to Charles Clark in settlement of accounts, for public money lost by fire.

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, authorized, in the settlement of the accounts of Charles Clark, marshal of the United States for the district of Maine, to allow him credit for such sum of public money as was in his charge as marshal, not to exceed three thousand and twenty-eight dollars, as he may be satisfied was burned in said marshal's office, in the custom-house building at Portland, Maine, on the fourth day of July last.

APPROVED, February 18, 1867.

Feb. 18, 1867. [No. 20.] *Joint Resolution for the Relief of James Keenan.*

In settlement of accounts of James Keenan, payment to be made for loss on exchange.

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 is directed, in the settlement of the accounts of James Keenan, late consul at Hong Kong, China, to pay his legal representatives the amount of exchange to which he would have been entitled for loss, had he drawn the several balances due him on the adjustment of his accounts.

APPROVED, February 18, 1867.

Feb. 22, 1867. [No. 24.] *Joint Resolution for the Relief of Ober, Nanson, and Company, Merchants, of New York.*

Preamble. Ober, Nanson, and Company.

WHEREAS, Ober, Nanson, and Company, of the city of New York, did, on October eighteen, eighteen hundred and sixty-five, deposit in the post-office of the city of New York a sealed package, containing twelve hundred compound-interest notes of the United States, each of the denomination of fifty dollars, dated September one, eighteen hundred and sixty-five, and falling due September one, eighteen hundred and sixty-eight, amounting to sixty thousand dollars, which notes are described as follows:—

$5000, letter D, numbers 272,801 to 272,900 inclusive;
5000, letter A, numbers 276,201 to 276,300 inclusive;
5000, letter C, numbers 270,801 to 270,900 inclusive;
5000, letter A, numbers 268,601 to 268,700 inclusive;
5000, letter C, numbers 268,601 to 268,700 inclusive;
5000, letter C, numbers 268,301 to 268,400 inclusive;
5000, letter C, numbers 275,501 to 275,600 inclusive;
5000, letter D, numbers 270,501 to 270,600 inclusive;
5000, letter C, numbers 275,301 to 275,400 inclusive;
5000, letter D, numbers 276,201 to 276,300 inclusive;
5000, letter A, numbers 275,601 to 275,700 inclusive;
5000, letter A, numbers 275,901 to 276,000 inclusive;

which package was directed to Ober, Atwater, and Company, merchants of the city of New Orleans, and was registered, and receipt given by the postmaster at New York, dated October eighteen, eighteen hundred and sixty-five, and was despatched through the United States mail, on the steamship "Republic," to its place of destination, as certified by the postmaster of New York; and whereas said steamship "Republic," with the United States mails thereon, containing said sealed package, was sunk and lost in the sea on the twenty-fifth day of October, eighteen hundred and sixty-five, at a point about one hundred and forty miles east of Savannah, Georgia, and no part of the mail on board was saved or recovered: 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 is hereby authorized and directed to pay said Ober, Nanson, and Company, or their assigns or legal representatives, the amount of said notes, supposed to be lost as aforesaid, with the interest thereon to the time of their maturity, at any time within six months after the maturity thereof: *Provided*, That there shall not appear, before such payment, evidence satisfactory to the Secretary of the Treasury, that said notes have not been lost and destroyed: *Provided, further*, That the Secretary of the Treasury shall require of said Ober, Nanson, and Company, their assigns or legal representatives, to execute and deliver such bond of indemnity, with adequate sureties, as he may deem necessary, before such payment is made.

Secretary of the Treasury to pay to Ober, Nanson, and Company the amount of certain compound-interest notes, supposed to be lost, with interest.

Proviso.

Bond of indemnity.

APPROVED, February 22, 1867.

[No. 25.] *Joint Resolution for the Relief of Stephen E. Jones.*

Feb. 22, 1867.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the paymaster-general is hereby directed to pay to Stephen E. Jones the full pay and allowances of a first lieutenant of cavalry for the period during which he actually served as aid-de-camp on the staff of General Nelson and General George H. Thomas, prior to his muster into the United States service.

Payment to Stephen E. Jones.

APPROVED, February 22, 1867.

[No. 29.] *A Resolution for the Relief of Martha McCook.*

Feb. 25, 1867.

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, authorized and directed to pay or cause to be paid, out of any moneys appropriated for the payment of pensions, to Mrs. Martha McCook, widow of the late Major McCook, of Jefferson county, Ohio, in consideration of the services of her husband and eight sons to the country in the late war for the Union, four of whom perished of wounds received in battle when in the line of their duty, an annuity, from and after the passage of this resolution, and during her natural life, of two hundred and fifty dollars per annum, to be paid semi-annually.

Annuity to Mrs. Martha McCook.

APPROVED, February 25, 1867.

Feb. 28, 1867. [No. 34.] *Joint Resolution to permit Captain John A. Webster, Jr. of the Steamer "Mahoning," to receive from the Government of Great Britain a Gold Chronometer.*

John A. Webster, Jr. may receive a gold chronometer from the government of Great Britain.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That John A. Webster, Jr. of the revenue-cutter service, captain of the steamer "Mahoning," be, and he is hereby, permitted to receive from the government of Great Britain a gold chronometer, which that government is desirous to award to him, in token of its appreciation of valuable services rendered by Captain Webster to several British vessels in distress on our coast.

APPROVED, February 28, 1867.

Feb. 28, 1867. [No. 35.] *Joint Resolution authorizing the Secretary of War to adjust and settle the Claim of D. Randolph Martin, Assignee of the Washington, Alexandria, and Georgetown Railroad Company.*

Claim of D. Randolph Martin, assignee, to be settled.

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 adjust and settle the claim of D. Randolph Martin, assignee of the Washington, Alexandria, and Georgetown railroad company, for the use and occupation of the road of said company by the United States from and after the eleventh day of January, eighteen hundred and sixty-two, until August, eighteen hundred and sixty-five, and to pay said Martin such sum as may be found equitably due for such use and occupation.

APPROVED, February 28, 1867.

Feb. 28, 1867. [No. 36.] *Joint Resolution for the Relief of Daniel Cole.*

Pension to Daniel Cole.

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 Department be directed to place on the list of pensions the name of Daniel Cole, at the rate of eight dollars per month from the date of the passage of this act.

APPROVED, February 28, 1867.

Feb. 28, 1867. [No. 37.] *Joint Resolution for the Relief of Virginia S. Wilson, Widow of the late Captain George W. Wilson.*

Payment to Virginia S. Wilson of amount of pension accruing to George W. Wilson.

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 cause to be paid to Virginia S. Wilson, widow of George W. Wilson, deceased, late a captain of company "G," second Eastern Shore regiment, Maryland volunteers, the sum of two hundred and seventy-two dollars, it being the amount of the pension accruing to said George W. Wilson, between the third day of January, eighteen hundred and sixty-five, the date of his muster out from the United States service, and the twenty-first day of February, eighteen hundred and sixty-six, the date of his original application for a pension, and which he failed to obtain in his lifetime by reason of his application not being filed within one year from the date of his disability.

APPROVED, February 28, 1867.

Feb. 28, 1867. [No. 38.] *Joint Resolution for the Relief of Walter C. Whitaker.*

Payment to Walter C. Whitaker.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Walter C. Whitaker is entitled to pay and allowances as colonel of the sixth Kentucky volunteer infantry from the ninth day of September, eighteen hundred and sixty-one, to the first day of January, eighteen hundred and sixty-two, inclusive, and the paymaster-general be, and he is, directed to pay him accordingly.

APPROVED, February 28, 1867.

[No. 39.] *Joint Resolution for the Relief of Obadiah Aderton.* Feb. 28, 1867.

Pension to Obadiah Aderton.

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 directed to place the name of Obadiah Aderton, of the State of Maine, on the list of pensions at the rate of eight dollars per month, payment to commence with the date of the passage of this joint resolution.

APPROVED, February 28, 1867.

[No. 40.] *Joint Resolution for the Relief of the Mother of Charles O. Rowohl.* Feb. 28, 1867.

Payment to the mother of Charles O. Rowohl.

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, authorized and directed to pay, or cause to be paid, to the mother of Charles O. Rowohl, deceased, late of company I, eighth regiment Kansas volunteers, eight dollars per month, from the date of the death of her son Charles O. Rowohl to the time when she commenced receiving a pension under the general pension laws.

APPROVED, February 28, 1867.

[No. 41.] *Joint Resolution for the Relief of the Orphan Children of William Whelan.* Feb. 28, 1867.

Payment to the guardian of the children of William Whelan.

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, authorized and directed to pay or have paid to the legally appointed guardian of the orphan children of William Whelan, late a soldier in company H, one hundred and sixth Pennsylvania volunteers, the same pension allowed by law to the orphan children of soldiers having died of disease contracted in the line of duty, and under the same limitations imposed by said law. This joint resolution to take effect from the death of the aforesaid William Whelan.

APPROVED, February 28, 1867.

[No. 43.] *Joint Resolution to audit and pay the Claim of Tuller and Fisher of Missouri.* March 1, 1867.

Preamble. Tuller and Fisher.

WHEREAS, the horses, coaches, stage property, and means of transportation of Messrs. Owen Tuller and Ulysses E. Fisher, mail contractors on mail route number ten thousand six hundred and forty-eight, between Springfield and Rolla, in the State of Missouri, were impressed in the military service and taken possession of and used by competent military authority, by reason of which a large amount of said property was captured by the enemy and lost to said contractors: Therefore,

Claim of Tuller and Fisher to be audited and paid.

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 is hereby authorized and required to have the claim of said Tuller and Fisher audited, and to pay to them, out of any money in the treasury not otherwise appropriated, the amount that shall be found due them for such losses, not exceeding the sum of twelve thousand five hundred dollars.

APPROVED, March 1, 1867.

[No. 61.] *Joint Resolution to pay Lieutenant John H. Hamlin for Military Services.* March 2, 1867.

Payment to John H. Hamlin.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Paymaster-General of the United States army be, and he is hereby, directed to pay to John H. Hamlin, of Michigan, late a first lieutenant in the seventh regiment of Michigan cavalry, the full pay and allowances of a second lieutenant of cavalry for the time from the first day of July, eighteen hundred and sixty-three, to the twenty-eighth day of March, eighteen hundred and sixty-four, when he was mustered in as a first lieutenant.

APPROVED, March 2, 1867.

March 2, 1867. [No. 62.] *A Resolution for the Relief of Dempsey Reece, of Indiana.*

Dempsey Reece to be discharged from contract when, &c.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be authorized and required to receive proposals for carrying the United States mail on route No. 12068, between Newcastle and Mechanicburg, in the State of Indiana; and when such bid shall be accepted, Dempsey Reece, the present contractor, shall be discharged from any further performance of his contract.

When this resolution takes effect.

SEC. 2. *And be it further resolved*, That this joint resolution shall take effect and be in force from and after its passage.

APPROVED, March 2, 1867.

March 2, 1867. [No. 63.] *Joint Resolution authorizing the Secretary of the Treasury to audit and settle the Accounts of John Sedgewick, Collector of Internal Revenue for the Third Collection District of California.*

Accounts of John Sedgewick to be audited and settled.

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 is hereby, authorized to audit and settle the accounts of John Sedgewick, collector of internal revenue for the third collection district of California, for the fiscal year ending June thirty, eighteen hundred and sixty-four, as to him may appear just and equitable.

APPROVED, March 2, 1867.

March 2, 1867. [No. 64.] *Joint Resolution for the Relief of Almanson Eaton, Receiver of Public Money for the Land Office at Stevens' Point, Wisconsin.*

Credit to be allowed to Almanson Eaton for public money lost.

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 and the Secretary of the Treasury and the proper accounting officers in their departments, in settling the accounts of Almanson Eaton, receiver of public moneys for the district of lands subject to sale at Stevens' Point, Wisconsin, shall, upon satisfactory evidence being made and filed, allow and credit to said receiver the sum of two thousand and ninety-two dollars and seventy-two cents, public money, lost and destroyed by fire in the burning of the offices, books, papers, and the public money of the register and receiver at Stevens' Point, Wisconsin, on the night of the twenty-ninth of December, A. D. eighteen hundred and sixty-five.

APPROVED, March 2, 1867.

March 2, 1867. [No. 65.] *Joint Resolution referring the Papers in the Case of F. A. Gibbons and F. X. Kelley to the Court of Claims.*

Papers in the case of F. A. Gibbons and F. X. Kelley to be referred back to the court of claims.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the papers in the case of Francis A. Gibbons and F. X. Kelley be referred back to the court of claims, and the court shall be authorized, if of opinion that the ends of justice will be subserved thereby, to grant a rehearing of the case on an amended petition, without prejudice to the claim by reason of the former decision of said court.

APPROVED, March 2, 1867.

March 2, 1867. [No. 66.] *Joint Resolution authorizing the Secretary of the Treasury to audit and pay the Claim of John R. Beckley.*

Preamble.

WHEREAS divers horses, the property of John R. Beckley, mail contractor on mail routes number ninety-six hundred and thirty-four and number ninety-six hundred and nineteen, in the State of Kentucky, were, during the late war, captured by the rebel forces and guerillas, and lost to said contractor, while endeavoring to carry out his contract with the United States: 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, directed to have the claim of said John R. Beckley audited, and to pay him the amount which shall be found due for the loss of property in carrying the mail, out of any money in the treasury not otherwise appropriated: *Provided*, That said amount shall not exceed the sum of five thousand nine hundred and fifty dollars: *And provided further*, That it shall appear that said property was lost without any fault or negligence on the part of said John R. Beckley.

Claim of John R. Beckley to be audited and paid.

Proviso.

Further proviso.

APPROVED, March 2, 1867.

[No. 67.] *Joint Resolution for the Relief of James I. Hudnall.*

March 2, 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 Treasury be, and he is hereby, directed, in the settlement of the accounts of James I. Hudnall, collector of the sixth congressional district of the State of Kentucky, to credit him with the sum of nineteen hundred dollars, in full for money lost by him in the town of Petersburg, Boone county, in the State of Kentucky, on the *ninth* [night] of the sixteenth of August, eighteen hundred and sixty-six.

Credit to be allowed James I. Hudnall for public money lost.

APPROVED, March 2, 1867.

[No. 68.] *A Resolution for the Relief of Joseph R. Morris.*

March 2, 1867.

WHEREAS it appears from the records of the patent-office of the United States, at the city of Washington, that Joseph R. Morris, of the city of Houston, in the State of Texas, on the thirteenth day of April, anno Domini eighteen hundred and sixty-one, filed his petition, affidavit, specification, and drawing, and made application for a patent for "a new and useful improvement in furnaces," and paid the customary fee on such application; that on the fifteenth day of April aforesaid, he deposited his model of said improvement according to law in the patent-office aforesaid; that on the eighth day of June thereafter, said invention was examined by the examiner, and a patent duly ordered to be issued; that on the eleventh day of June thereafter, a circular was issued by said patent-office to the effect that said patent was ordered to be issued in accordance with said application upon the payment of the final fee of twenty dollars: and whereas it appears that said Joseph R. Morris was prevented from obtaining his patent by the state of civil war which interdicted all communication between the State of Texas and the patent-office at the city of Washington: Therefore,

Preamble.

Joseph R. Morris.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of patents be, and he is hereby, authorized to issue said patent to said Joseph R. Morris as of the date and with like effect as though the same had been issued on the eighth day of June, eighteen hundred and sixty-one, except that said patent may be issued to run the usual number of years from the actual time of the issuance thereof, any law to the contrary hereof notwithstanding: *Provided*, That if, at or prior to the day when said patent shall actually be issued, any person or persons shall be actually using said improvement in furnaces, such person or persons shall not be made liable in damages for such prior use, or for the continuing use of such as have already been constructed.

Patent to issue to Joseph R. Morris.

APPROVED, March 2, 1867.

[No. 69.] *A Resolution for the Relief of certain Enlisted Men of the Seventh Regiment of West Virginia Volunteers.*

March 2, 1867.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War

Payment to William T. Con-

nell, John Keplinger, and Isaac Conrad.

be directed to cause to be paid to William T. Connell, John Keplinger, and Isaac Conrad, full pay and allowances as private soldiers from August seventeenth, eighteen hundred and sixty-one, to January ninth, eighteen hundred and sixty-three, on presentation of satisfactory proof that they were duly enlisted in the seventh regiment West Virginia volunteers as such, and that their muster into service was prevented by their capture and detention as prisoners of war, from September seventh, eighteen hundred and sixty-one, to the date embraced by this resolution.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 70.] *A Resolution for the Relief of Dyer B. Pettijohn.*

Payment to Dyer B. Pettijohn.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be directed to cause to be paid to Dyer B. Pettijohn the full pay and emoluments of a second lieutenant of infantry, of the first company of sharpshooters, Minnesota volunteers, from the thirtieth day of May, eighteen hundred and sixty-three, to the twentieth day of May, eighteen hundred and sixty-five, deducting therefrom any amount he may have received as an enlisted man during the time specified.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 71.] *Joint Resolution for the Relief of J. H. Riley.*

Payment to J. H. Riley.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two hundred dollars be allowed and paid to J. H. Riley for services rendered by him as clerk to the house committee on the Pacific railroad during the first and second sessions of the present Congress.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 72.] *A Resolution authorizing Gustavus V. Fox, late Assistant Secretary of the Navy, and the Officers of the Iron-clad "Miantonomah" and Gunboat "Augusta," to accept Presents tendered them by the Emperor of Russia.*

Gustavus V. Fox and certain officers may accept presents from the Emperor of Russia.

Such presents may be admitted free of duty.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Gustavus V. Fox, late assistant secretary of the navy, and the officers of the iron-clad "Miantonomah" and gunboat "Augusta," may accept any books or other presents which have been tendered to them by the Emperor of Russia on the occasion of their late visit to Russia. And that the presents hereby authorized to be received may be admitted into the ports of the United States free of duty.

APPROVED, March 2, 1867.

TREATIES.

Treaty between the United States of America and the Nez Percé Tribe of Indians. Concluded, June 9, 1863; *Ratification advised, April* 17, 1867; *Proclaimed April* 20, 1867.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, June 9, 1863.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble. WHEREAS a treaty was made and concluded at the Council Ground, in the valley of the Lapwai, in the Territory of Washington, on the ninth day of June, in the year of our Lord one thousand eight hundred and sixty-three, by and between Calvin H. Hale, Charles Hutchins, and S. D. Howe, Commissioners, on the part of the United States, and Lawyer, Ute-sin-male-e-cum, Ha-harch-tuesta, and other Chiefs and Headmen of the Nez Percé tribe of Indians on the part of said Indians, and duly authorized thereto by them, which Treaty is in the words and figures following, to wit:

Treaty between the United States of America and the Nez Percé Indians, concluded at the Council Ground, in the Valley of the Lapwai, June ninth, 1863.

Contracting parties. Articles of agreement made and concluded at the Council Ground, in the valley of the Lapwai, W. T., on the ninth day of June, one thousand eight hundred and sixty-three, between the United States of America, by C. H. Hale, superintendent of Indian Affairs, and Charles Hutchins and S. D. Howe, U. S. Indian agents, for the Territory of Washington, acting on the part and in behalf of the United States, and the Nez Percé Indians, by the chiefs, headmen, and delegates of said tribe, such articles being supplementary and amendatory to the treaty made between the United States and said tribe on the 11th day of June, 1855.

Cession of lands to the United States. ARTICLE I. The said Nez Percé tribe agree to relinquish, and do hereby relinquish, to the United States the lands heretofore reserved for the use and occupation of the said tribe, saving and excepting so much thereof as is described in article II. for a new reservation.

Reservation. ARTICLE II. The United States agree to reserve for a home, and for the sole use and occupation of said tribe, the tract of land included within the following boundaries, to wit: Commencing at the N.E. corner of Lake Wa-ha, and running thence, northerly, to a point on the north bank of the Clearwater river, three miles below the mouth of the Lapwai, thence down the north bank of the Clearwater to the mouth of the Hatwai creek; thence, due north, to a point seven miles distant; thence, eastwardly, to a point on the north fork of the Clearwater, seven miles distant from its mouth; thence to a point on Oro Fino Creek, five miles above its mouth; thence to a point on the north fork of the south fork of the Clearwater, five miles above its mouth; thence to a point on the south fork of the Clearwater, one mile above the bridge, on the road lead-

Boundaries.

ing to Elk City, (so as to include all the Indian farms now within the forks;) thence in a straight line, westwardly, to the place of beginning.

Reservation to be for the sole use of the tribe, who shall settle thereon within a year.

All of which tract shall be set apart, and the above-described boundaries shall be surveyed and marked out for the exclusive use and benefit of said tribe as an Indian reservation, nor shall any white man, excepting those in the employment of the Indian department, be permitted to reside upon the said reservation without permission of the tribe and the superintendent and agent; and the said tribe agrees that so soon after the United States shall make the necessary provision for fulfilling the stipulations of this instrument as they can conveniently arrange their affairs, and not to exceed one year from its ratification, they will vacate the country hereby relinquished, and remove to and settle upon the lands herein reserved for them, (except as may be hereinafter provided.) In the mean time it shall be lawful for them to reside upon any ground now occupied or under cultivation by said Indians at this time, and not included in the reservation above named. And it is provided, that any

Improvement on lands ceded, to be paid for;

substantial improvement heretofore made by any Indian, such as fields enclosed and cultivated, or houses erected upon the lands hereby relinquished, and which he may be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President of the United States, and payment therefor shall be made in stock or in improvements of an equal value for said Indian upon the lot which may be assigned to him within the bounds of the reservation, as he may choose, and no Indian will be required to abandon the improvements aforesaid, now occupied by him, until said payment or improvement shall have been made. And it is further provided, that if any Indian living on any of the land hereby relinquished should prefer to sell his improvements to

may be sold to loyal whites.

any white man, being a loyal citizen of the United States, prior to the same being valued as aforesaid, he shall be allowed so to do, but the sale or transfer of said improvements shall be made in the presence of, and with the consent and approval of, the agent or superintendent, by whom a certificate of sale shall be issued to the party purchasing, which shall

Certificates of sale.

set forth the amount of the consideration in kind. Before the issue of said certificate, the agent or superintendent shall be satisfied that a valuable consideration is paid, and that the party purchasing is of undoubted loyalty to the United States government. No settlement or claim made upon the improved lands of any Indian will be permitted, except as herein provided, prior to the time specified for their removal. Any sale or transfer thus made shall be in the stead of payment for improvements from the United States.

Boundary lines to be marked, and lands surveyed into lots.

ARTICLE III. The President shall, immediately after the ratification of this treaty, cause the boundary lines to be surveyed, and properly marked and established; after which, so much of the lands hereby reserved as may be suitable for cultivation shall be surveyed into lots of twenty acres each, and every male person of the tribe who shall have

Heads of families may locate on lot.

attained the age of twenty-one years, or is the head of a family, shall have the privilege of locating upon one lot as a permanent home for such person, and the lands so surveyed shall be allotted under such rules and regulations as the President shall prescribe, having such reference to their settlement as may secure adjoining each other the location of the different families pertaining to each band, so far as the same may be practicable. Such rules and regulations shall be prescribed by the President, or under his direction, as will insure to the family, in case of the death of the head thereof, the possession and enjoyment of such permanent home,

Certificates therefor.

and the improvements thereon. When the assignments as above shall have been completed, certificates shall be issued by the Commissioner of Indian Affairs, or under his direction, for the tracts assigned in severalty, specifying the names of the individuals to whom they have been assigned respectively, and that said tracts are set apart for the perpetual and exclu-

sive use and benefit of such assignees and their heirs. Until otherwise provided by law, such tracts shall be exempt from levy, taxation, or sale, and shall be alienable in fee, or leased, or otherwise disposed of, only to the United States, or to persons then being members of the Nez Percé tribe, and of Indian blood, with the permission of the President, and under such regulations as the Secretary of the Interior or the Commissioner of Indian Affairs shall prescribe; and if any such person or family shall at any time neglect or refuse to occupy and till a portion of the land so assigned, and on which they have located, or shall rove from place to place, the President may cancel the assignment, and may also withhold from such person or family their proportion of the annuities or other payments due them until they shall have returned to such permanent home, and resumed the pursuits of industry; and in default of their return, the tract may be declared abandoned, and thereafter assigned to some other person or family of such tribe. The residue of the land hereby reserved shall be held in common for pasturage for the sole use and benefit of the Indians: *Provided, however*, That from time to time, as members of the tribe may come upon the reservation, or may become of proper age, after the expiration of the time of one year after the ratification of this treaty, as aforesaid, and claim the privileges granted under this article, lots may be assigned from the lands thus held in common, wherever the same may be suitable for cultivation. No State or territorial legislature shall remove the restriction herein provided for, without the consent of Congress, and no State or territorial law to that end shall be deemed valid until the same has been specially submitted to Congress for its approval.

These lots to be exempt from levy, taxes, &c.

Residue to be held in common.

Restriction not to be removed without the consent of Congress.

ARTICLE IV. In consideration of the relinquishment herein made the United States agree to pay to the said tribe, in addition to the annuities provided by the treaty of June 11th, 1855, and the goods and provisions distributed to them at the time of signing this treaty, the sum of two hundred and sixty-two thousand and five hundred dollars, in manner following, to wit:

Payments to the tribe. Vol. xii. p. 958.

First. One hundred and fifty thousand dollars, to enable the Indians to remove and locate upon the reservation, to be expended in the ploughing of land, and the fencing of the several lots, which may be assigned to those individual members of the tribe who will accept the same in accordance with the provisions of the preceding article, which said sum shall be divided into four annual instalments, as follows: For the first year after the ratification of this treaty, seventy thousand dollars; for the second year, forty thousand dollars; for the third year, twenty-five thousand dollars; and for the fourth year, fifteen thousand dollars.

Second. Fifty thousand dollars to be paid the first year after the ratification of this treaty in agricultural implements, to include wagons or carts, harness, and cattle, sheep, or other stock, as may be deemed most beneficial by the superintendent of Indian affairs, or agent, after ascertaining the wishes of the Indians in relation thereto.

Third. Ten thousand dollars for the erection of a saw and flouring mill, to be located at Kamia, the same to be erected within one year after the ratification hereof.

Fourth. Fifty thousand dollars for the boarding and clothing of the children who shall attend the schools, in accordance with such rules or regulations as the Commissioner of Indian Affairs may prescribe, providing the schools and boarding-houses with necessary furniture, the purchase of necessary wagons, teams, agricultural implements, tools, &c., for their use, and for the fencing of such lands as may be needed for gardening and farming purposes, for the use and benefit of the schools, to be expended as follows: The first year after the ratification of this treaty, six thousand dollars; for the next fourteen years, three thousand dollars each year; and for the succeeding year, being the sixteenth and last instalment, two thousand dollars.

Churches.

Fifth. A further sum of two thousand five hundred dollars shall be paid within one year after the ratification hereof, to enable the Indians to build two churches, one of which is to be located at some suitable point on the Kamia, and the other on the Lapwai.

Subordinate chiefs. Vol. xii. p. 959.

ARTICLE V. The United States further agree, that in addition to a head chief the tribe shall elect two subordinate chiefs, who shall assist him in the performance of his public services, and each subordinate chief shall have the same amount of land ploughed and fenced, with comfortable house and necessary furniture, and to whom the same salary shall be paid as is already provided for the head chief in art. 5th of the treaty of June 11th, 1855, the salary to be paid and the houses and land to be occupied during the same period and under like restrictions as therein mentioned.

And for the purpose of enabling the agent to erect said buildings, and to plough and fence the land, as well as to procure the necessary furniture, and to complete and furnish the house, &c., of the head chief, as heretofore provided, there shall be appropriated, to be expended within the first year after the ratification hereof, the sum of two thousand five hundred dollars.

And inasmuch as several of the provisions of said art. 5th of the treaty of June 11th, 1855, pertaining to the erection of school-houses, hospital, shops, necessary buildings for employe[e]s and for the agency, as well as providing the same with necessary furniture, tools, &c., have not yet been complied with, it is hereby stipulated that there shall be appropriated, to be expended for the purposes herein specified during the first year after the ratification hereof, the following sums, to wit:

Further appropriations.

Schools.

First. Ten thousand dollars for the erection of the two schools, including boarding-houses and the necessary outbuildings; said schools to be conducted on the manual-labor system as far as practicable.

Hospital.

Second. Twelve hundred dollars for the erection of the hospital, and providing the necessary furniture for the same.

Blacksmith's shop, tools, &c.

Third. Two thousand dollars for the erection of a blacksmith's 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, &c.; and to keep the same in repair and properly stocked with necessary tools and materials, there shall be appropriated thereafter, for the fifteen years next succeeding, the sum of five hundred dollars each year.

Houses, mills, &c.

Fourth. Three thousand dollars for erection of houses for employe[e]s, repairs of mills, shops, &c., and providing necessary furniture, tools, and materials. For the same purpose, and to procure from year to year the necessary articles — that is to say, saw-logs, nails, glass, hardware, &c. — there shall be appropriated thereafter, for the twelve years next succeeding, the sum of two thousand dollars each year; and for the next three years, one thousand dollars each year.

Matrons, teachers, mechanics, and millers.

And it is further agreed that the United States shall employ, in addition to those already mentioned in art. 5th of the treaty of June 11th, 1855, two matrons to take charge of the boarding-schools, two assistant teachers, one farmer, one carpenter, and two millers.

All the expenditures and expenses contemplated in this treaty, and not otherwise provided for, shall be defrayed by the United States.

Payment to the chief, Timothy.

ARTICLE VI. In consideration of the past services and faithfulness of the Indian chief, Timothy, it is agreed that the United States shall appropriate the sum of six hundred dollars, to aid him in the erection of a house upon the lot of land which may be assigned to him, in accordance with the provisions of the third article of this treaty.

Claims for services and for horses to be paid.

ARTICLE VII. The United States further agree, that the claims of certain members of the Nez Percé tribe against the government for services rendered and for horses furnished by them to the Oregon mounted volunteers, as appears by certificates issued by W. H. Fauntleroy, A. R. Qr.

M. and Com. Oregon volunteers, on the 6th of March, 1856, at Camp Cornelius, and amounting to the sum of four thousand six hundred and sixty-five dollars, shall be paid to them in full, in gold coin.

Authority, &c., of the United States acknowledged. Vol. xii. p. 960.

ARTICLE VIII. It is also understood that the aforesaid tribe do hereby renew their acknowledgments of dependence upon the government of the United States, their promises of friendship, and other pledges, as set forth in the eighth article of the treaty of June 11th, 1855; and further, that all the provisions of said treaty which are not abrogated or specifically changed by any article herein contained, shall remain the same to all intents and purposes as formerly, — the same obligations resting upon the United States, the same privileges continued to the Indians outside of the reservation, and the same rights secured to citizens of the U. S. as to right of way upon the streams and over the roads which may run through said reservation, as are therein set forth.

Roads and highways.

But it is further provided, that the United States is the only competent authority to declare and establish such necessary roads and highways, and that no other right is intended to be hereby granted to citizens of the United States than the right of way upon or over such roads as may thus be legally established: *Provided, however*, That the roads now usually travelled shall, in the mean time, be taken and deemed as within the meaning of this article, until otherwise enacted by act of Congress, or by the authority of the Indian department.

Hotels and stage stands.

And the said tribe hereby consent, that upon the public roads which may run across the reservation there may be established, at such points as shall be necessary for public convenience, hotels or stage stands, of the number and necessity of which the agent or superintendent shall be the sole judge, who shall be competent to license the same, with the privilege of using such amount of land for pasturage and other purposes connected with such establishment as the agent or superintendent shall deem necessary, it being understood that such lands for pasturage are to be enclosed, and the boundaries thereof described in the license.

Ferries and bridges.

And it is further understood and agreed that all ferries and bridges within the reservation shall be held and managed for the benefit of said tribe.

Such rules and regulations shall be made by the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, as shall regulate the travel on the highways, the management of the ferries and bridges, the licensing of public houses, and the leasing of lands, as herein provided, so that the rents, profits, and issues thereof shall inure to the benefit of said tribe, and so that the persons thus licensed, or necessarily employed in any of the above relations, shall be subject to the control of the Indian department, and to the provisions of the act of Congress "to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers."

Timber.

All timber within the bounds of the reservation is exclusively the property of the tribe, excepting that the U. S. government shall be permitted to use thereof for any purpose connected with its affairs, either in carrying out any of the provisions of this treaty, or in the maintaining of its necessary forts or garrisons.

Springs or fountains.

The United States also agree to reserve all springs or fountains not adjacent to, or directly connected with, the streams or rivers within the lands hereby relinquished, and to keep back from settlement or entry so much of the surrounding land as may be necessary to prevent the said springs or fountains being enclosed; and, further, to preserve a perpetual right of way to and from the same, as watering places, for the use in common of both whites and Indians.

Robert Newell to receive a patent for a tract of land.

ARTICLE IX. Inasmuch as the Indians in council have expressed their desire that Robert Newell should have confirmed to him a piece of land lying between Snake and Clearwater rivers, the same having been

given to him on the 9th day of June, 1861, and described in an instrument of writing bearing that date, and signed by several chiefs of the tribe, it is hereby agreed that the said Robert Newell shall receive from the United States a patent for the said tract of land.

Treaty when to take effect.

ARTICLE X. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

Execution.

In testimony whereof the said C. H. Hale, superintendent of Indian affairs, and Charles Hutchins and S. D. Howe, United States Indian agents in the Territory of Washington, and the chiefs, headmen, and delegates of the aforesaid Nez Percé tribe of Indians, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

CALVIN H. HALE, [SEAL.]
Supt. Ind. Affairs, Wash. Ter.
CHAS. HUTCHINS, [SEAL.]
U. S. Ind. Agent, Wash. Ter.
S. D. HOWE, [SEAL.]
U. S. Ind. Agent, Wash. Ter.
FA-IND-7-1803 LAWYER, [SEAL.]
Head Chief Nez Percés Nation.

UTE-SIN-MALE-E-CUM, x [SEAL.]
HA-HARCH-TUESTA, x [SEAL.]
TIP-ULANIA-TIMECCA, x [SEAL.]
ES-COATUM, x [SEAL.]
TIMOTHY, x [SEAL.]
LEVI, x [SEAL.]
JASON, x [SEAL.]
IP-SHE-NE-WISH-KIN, (CAPT. JOHN,) x [SEAL.]
WEPTAS-JUMP-KI, x [SEAL.]
WE-AS-CUS, x [SEAL.]
PEP-HOOM-KAN, (NOAH,) x [SEAL.]
SHIN-MA-SHA-HO-SOOT, x [SEAL.]
NIE-KI-LIL-MEH-HOOM, (JACOB,) x [SEAL.]
STOOP-TOOP-NIN, x [SEAL.]
SU-WE-CUS, x [SEAL.]
WAL-LA-TA-MANA, x [SEAL.]
HE-KAIKT-IL-PILP. x [SEAL.]
WHIS-TAS-KET, x [SEAL.]
NEUS-NE-KEUN, x [SEAL.]
KUL-LOU-O-HAIKT, x [SEAL.]
WOW-EN-AM-ASH-IL-PILP, x [SEAL.]
KAN-POW-E-EEN, x [SEAL.]
WATAI-WATAI-WA-HAIKT, x [SEAL.]
KUP-KUP-PELLIA, x [SEAL.]
WAP-TAS-TA-MANA, x [SEAL.]
PEO-PEO-IP-SE-WAT, x [SEAL.]
LOUIS-IN-HA-CUSH-NIM, x [SEAL.]
LAM-LIM-SI-LILP-NIM, x [SEAL.]
TU-KI-LAI-KISH, x [SEAL.]
SAH-KAN-TAI, (EAGLE,) x [SEAL.]
WE-AH-SE-NAT, x [SEAL.]
HIN-MIA-TUN-PIN, x [SEAL.]
MA-HI-A-KIM, x [SEAL.]
SHOCK-LO-TURN-WA-HAIKT, (JONAH,) x [SEAL.]
KUNNESS-TAK-MAL, x [SEAL.]
TU-LAT-SY-WAT-KIN, x [SEAL.]
TUCK-E-TU-ET-AS, x [SEAL.]

NIC-A-LAS-IN,	x	[SEAL.]
WAS-ATIS-IL-PILP,	x	[SEAL.]
WOW-ES-EN-AT-IM,	x	[SEAL.]
HIRAM,	x	[SEAL.]
HOWLISH-WAMPUM,	x	[SEAL.]
WAT-SKA-LEEKS,	x	[SEAL.]
WA-LAI-TUS,	x	[SEAL.]
KY-E-WEE-PUS,	x	[SEAL.]
KO-KO-IL-PILP,	x	[SEAL.]
REUBEN, TIP-IA-LA-NA-UY-KALA-TSEKIN,	x	[SEAL.]
WISH-LA-NA-KA-NIN,	x	[SEAL.]
ME-TAT-UEPTAS, (THREE FEATHERS,)	x	[SEAL.]
RAY-KAY-MASS,	x	[SEAL.]

Signed and sealed in presence of—

GEORGE F. WHITWORTH, *Secretary.*
JUSTUS STEINBERGER, *Col. U. S. Vols.*
R. F. MALLOY, *Col. Cavly, O. V.*
J. S. RINEARSON, *Maj. 1st Cav. Ogn. Vols.*
WILLIAM KAPUS, *1st Lieut. & Adj. 1st. W. T. Inf. U. S. V.*
HARRISON OLMSTEAD.
JNO. OWEN, (BITTER ROOT.)
JAMES O'NEILL.
J. B. BUKER, M. D.
GEORGE W. ELBER.
A. A. SPALDING, *Asst. Interpreter.*
PERRIN B. WHITMAN, *Interpreter for the Council.*

Ratification.

And whereas, the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the seventeenth day of April, one thousand eight hundred and sixty-seven, recede from certain amendments which it had made to the said Treaty on the twenty-sixth day of June, one thousand eight hundred and sixty-six, and did advise and consent to the ratification of the said Treaty as originally concluded, by a resolution in the words and figures following, to wit:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.
April 17, 1867.

Resolved, (*two-thirds of the Senators present concurring,*) That the Senate recede from its amendments to the treaty between the United States and the Nez Percé Indians, concluded at the Council Ground, in the valley of the Lapwai, June 9, 1863, which amendments were agreed to by the Senate, June 26, 1866; and that the Senate do advise and consent to the ratification of the said treaty as concluded June 9, 1863.

Attest: J. W. FORNEY,
Secretary.

Proclamation.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the seventeenth of April, one thousand eight hundred and sixty-seven, accept, ratify, and confirm the said Treaty.

In testimony whereof I have hereto signed my name, and caused the seal of the United States to be affixed.

Done at the city of Washington this twentieth day of April, in the year of our Lord one thousand eight hundred and sixty-
[SEAL.] 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.

Convention between the United States and the Empire of Japan; Concluded at Yedo January 28, 1864; *Proclaimed April* 9, 1866.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. Jan. 28, 1864.

A PROCLAMATION.

Preamble.

WHEREAS a Convention between the United States of America and the Empire of Japan, for the reduction of import duties, was concluded and signed by their respective plenipotentiaries, at Yedo, on the twenty-eighth day of January, eighteen hundred and sixty-four, which Convention being in the English, Japanese, and Dutch languages, is word for word as follows: —

CONVENTION.

Contracting parties.

For the purpose of encouraging and facilitating the commerce of the citizens of the United States in Japan; and after due deliberation, his excellency Robert H. Pruyn, minister resident of the United States in Japan, and his excellency Sibata Sadataro, governor for foreign affairs, both having full powers from their respective governments, have agreed on the following articles, viz: —

Articles free of duty.

ARTICLE I. The following articles, used in the preparation and packing of teas, shall be free of duty:

Sheet lead, solder, matting, ratan, oil for painting, indigo, gypsum, firing pans, and baskets.

At reduced duty of five per cent.

ARTICLE II. The following articles shall be admitted at the reduced duty of five per cent:

Machines and machinery; drugs and medicines. (Note. — The prohibition of the importation of opium according to the existing treaty remains in full force.) Iron, in pigs or bars; sheet iron and iron wire; tin plates; white sugar, in loaves or crushed; glass and glassware; clocks, watches, and watch-chains; wines, malted and spirituous liquors.

Those importing and exporting to pay the duty.

ARTICLE III. The citizens of the United States importing or exporting goods shall always pay the duty fixed thereon, whether such goods are intended for their own use or not.

When this convention takes effect.

ARTICLE IV. This Convention having been agreed upon a year ago, and its signature delayed through unavoidable circumstances, it is hereby agreed that the same shall go into effect at Kanagawa on the 8th of February next, corresponding to the first day of the first month of the fourth Japanese year of Bunkin Ne, and at Nagasaki and Hakodate on the 9th day of March next, corresponding to the first day of the second month of the fourth Japanese year of Bunkin Ne.

Execution.

Done in quadruplicate, each copy being written in the English, Japanese, and Dutch languages, all the versions having the same meaning, but the Dutch version shall be considered as the original.

In witness whereof, the above-named plenipotentiaries have hereunto set their hands and seals, at the city of Yedo, the twenty-eighth day of

January of the year of our Lord one thousand eight hundred and sixty-four, and of the Independence of the United States the eighty-eighth, corresponding to the twentieth day of the twelfth month of the third year of Bunkin Ye of the Japanese era.

[SEAL.] ROBERT H. PRUYN.

Ratification proclaimed.

And whereas the said Convention has been duly ratified on both parts:

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

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 ninth day of April, in the year of our Lord one thousand eight hundred and sixty-six,
[L. S.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Chippewa Indians of Saginaw, Swan Creek, and Black River, Michigan; Concluded October 18, 1864; *Ratification advised, with Amendments, May* 22, 1866; *Amendments accepted, June* 18, 1866; *Proclaimed August* 16, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, October 18, 1864.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble.

WHEREAS a treaty was made and concluded at Isabella, in the State of Michigan, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-four, by and between H. J. Alvord and D. C. Leach, Commissioners, on the part of the United States, and S. D. Simonds, Lyman Bennett, Jno. Pay-me-quo-ung, and other chiefs and headmen of the Chippewa Indians of Saginaw, Swan Creek, and Black River, in the State of Michigan, representing said Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:

Contracting parties.

ARTICLES OF AGREEMENT AND CONVENTION made and concluded at the Isabella Indian reservation, in the State of Michigan, on the eighteenth day of October, in the year one thousand eight hundred and sixty-four, between H. J. Alvord, special Commissioner for the United States, and D. C. Leach, United States Indian agent, acting as Commissioners for and on the part of the United States, and the Chippewas of Saginaw, Swan Creek, and Black River, in the State of Michigan aforesaid, parties to the Treaty of August 2d, 1855, as follows, viz:—

Vol. xi. p. 633.

Release to the United States of reservation and of right to locate and purchase certain lands.

ARTICLE I. The said Chippewas of Saginaw, Swan Creek, and Black River, for and in consideration of the conditions hereinafter specified, do hereby release to the United States the several townships of land reserved to said tribe by said treaty aforesaid, situate and being upon Saginaw Bay, in said State.

The said Indians also agree to relinquish to the United States all claim to any right they may possess to locate lands in lieu of lands sold or disposed of by the United States upon their reservation at Isabella, and also the right to purchase the unselected lands in said reservation, as provided for in the first article of said treaty.

Certain lands set apart for the Indians in Isabella county.

ARTICLE II. In consideration of the foregoing relinquishments, the United States hereby agree to set apart for the exclusive use, ownership, and occupancy of the said *of the said* Chippewas of Saginaw, Swan Creek, and Black River, all of the unsold lands within the six townships in Isabella county, reserved to said Indians by the treaty of August 2d, 1855, aforesaid, and designated as follows, viz:—

The north half of township fourteen, and townships fifteen and sixteen north, of range three west; the north half of township fourteen and township fifteen north, of range four west, and townships fourteen and fifteen north, of range five west.

Mode and order of selections of lands in lieu of those relinquished.

ARTICLE III. So soon as practicable after the ratification of this treaty, the persons who have heretofore made selections of lands within the townships upon Saginaw Bay, hereby relinquished, may proceed to make selections of lands upon the Isabella reservation, in lieu of their selections aforesaid, and in like quantities.

After a reasonable time shall have been given for the parties aforesaid to make their selections in lieu of those relinquished, the other persons entitled thereto may then proceed to make their selections, in quantities as follows, viz: —

Chiefs. For each chief of said Indians who signs this treaty, eighty acres in addition to their selections already made, and to patents in fee simple.

Headmen. For one headman in each band into which said Indians are now divided, forty acres, and to patents in fee simple.

Heads of families. For each person being the head of a family, eighty acres.

Single persons. For each single person over the age of twenty-one years, forty acres.

Orphan children. For each orphan child under the age of twenty-one years, forty acres.

Married women. For each married female who has not heretofore made a selection of land, forty acres.

Other persons. And for each other person now living or who may be born hereafter, when he or she shall have arrived at the age of twenty-one years, forty acres, so long as any of the lands in said reserve shall remain unselected, and no longer.

William Smith and others may select lands, and receive patents therefor. In consideration of important services rendered to said Indians during many years past by William Smith, John Collins 1st, Andrew J. Campeau, and Thomas Chatfield, it is hereby agreed that they shall each be allowed to select eighty acres in addition to their previous selections, and receive patents therefor in fee simple; and to Charles H. Rodd, eighty acres, and a patent therefor in fee simple, to be received by said Rodd as a full consideration and payment of all claims he may have against said Indians, except claims against individuals for services rendered or money expended heretofore by said Rodd for the benefit of said Indians.

Certain Ottawas, Chippewas, and Pottawatomies may select and hold lands. It is understood and agreed that those Ottawas and Chippewas and Pottawatomies now belonging to the bands of which Metayomeig, Mayme-she-gaw-day, Keche-kebe-me-mo-say, and Waw-be-maw-ing-gun are chiefs, who have heretofore made selections upon said reservations, by permission of said Chippewas of Saginaw, Swan Creek, and Black River, who now reside upon said reservation in Isabella county, or who may remove to said reservation within one year after the ratification of this treaty, shall be entitled to the same rights and privileges to select and hold land as are contained in the third article of this agreement.

Agent to make lists. So soon as practicable after the ratification of this treaty, the agent for the said Indians shall make out a list of all those persons who have heretofore made selections of lands under the treaty of August 2d, 1855, aforesaid, and of those who may be entitled to selections under the provisions of this treaty, and he shall divide the persons enumerated in said list into two classes, viz: "competent" and "those not so competent."

Two classes.

Competents. Those who are intelligent, and have sufficient education, and are qualified by business habits to prudently manage their affairs, shall be set down as "competents," and those who are uneducated, or unqualified in other respects to prudently manage their affairs, or who are of idle, wandering, or dissolute habits, and all orphans, shall be set down as "those not so competent."

Those not so competent.

Patents to those of both classes. The United States agrees to issue patents to all persons entitled to selections under this treaty, as follows, viz: To those belonging to the class denominated "competents," patents shall be issued in fee simple, but to those belonging to the class of "those not so competent," the patent shall contain a provision that the land shall never be sold or alienated to any person or persons whomsoever, without the consent of the Secretary of the Interior for the time being.

Manual-labor school. ARTICLE IV. The United States agrees to expend the sum of twenty thousand dollars for the support and maintenance of a manual-labor school upon said reservation: *Provided*, That the Missionary Society of

Buildings. the Methodist Episcopal Church shall, within three years after the ratification of this treaty, at its own expense, erect suitable buildings for school

and boarding-house purposes, of a value of not less than three thousand dollars, upon the southeast quarter of section nine, township fourteen north, of range four west, which is hereby set apart for that purpose.

Board of visitors of such school.

The superintendent of public instruction, the lieutenant-governor of the State of Michigan, and one person, to be designated by said Missionary Society, shall constitute a board of visitors, whose duty it shall be to visit said school once during each year, and examine the same, and investigate the character and qualifications of its teachers, and all other persons connected therewith, and report thereon to the commissioner of Indian affairs.

Control, &c. of school and farm.

The said Missionary Society of the Methodist Episcopal Church shall have full and undisputed control of the management of said school, and the farm attached thereto. Upon the approval and acceptance of the school and boarding-house buildings by the board of visitors, the United States will pay to the authorized agent of said Missionary Society, for the support and maintenance of the school, the sum of two thousand dollars, and the like sum annually thereafter, until the whole sum of twenty thousand dollars shall have been expended.

Annual appropriation;

may be suspended.

The United States reserves the right to suspend the annual appropriation of two thousand dollars for said school, in part or in whole, whenever it shall appear that said Missionary Society neglects or fails to manage the affairs of said school and farm in a manner acceptable to the board of visitors aforesaid; and if, at any time within a period of ten years after the establishment of said school, said Missionary Society shall abandon said school or farm for the purposes intended in this treaty, then, and in such case, said society shall forfeit all of its rights and franchises under this treaty, and it shall then be competent for the Secretary of the Interior to sell or dispose of the land hereinbefore designated, together with the buildings and improvements thereon and expend the proceeds of the same for the educational interests of the Indians in such manner as he may deem advisable.

If school and farm are abandoned, the rights under this treaty are lost.

Amendment. *Post*, p. 661.

Land and buildings may be sold.

Land to be conveyed in fee simple, if, &c.

Amendment. *Post*, p. 661.

At the expiration of ten years after the establishment of said school, if said Missionary Society shall have conducted said school and farm in a manner acceptable to the board of visitors during said ten years, the United States will convey to said society the land before mentioned by patent in fee simple.

If society does not accept trust, &c.

In case said Missionary Society shall fail to accept the trust herein named within one year after the ratification of this treaty, then, and in that case, the said twenty thousand dollars shall be placed to the credit of the educational fund of said Indians, to be expended for their benefit in such manner as the Secretary of the Interior may deem advisable.

Present schoolhouse.

It is understood and agreed that said Missionary Society may use the school-house, now standing upon land adjacent to the land hereinbefore set apart for a school-farm, where it now stands, or move it upon the land so set apart.

Blacksmith shop, stock, tools, &c.

ARTICLE V. The said Indians agree that, of the last two payments of eighteen thousand eight hundred dollars each, provided for by the said treaty of August second, eighteen hundred and fifty-five, the sum of seventeen thousand six hundred dollars may be withheld, and the same shall be placed to the credit of their agricultural fund, to be expended for their benefit in sustaining their blacksmith shop, in stock, animals, agricultural implements, or in such other manner as the Secretary of the Interior may deem advisable.

Mill and land at Isabella City may be sold.

ARTICLE VI. The commissioner of Indian affairs may, at the request of the chiefs and headmen, sell the mill and land belonging thereto at Isabella City, on said reservation, and apply the proceeds thereof for such beneficiary objects as may be deemed advisable by the Secretary of the Interior.

James Nicholson may select 80 acres, upon, &c.

ARTICLE VII. Inasmuch, as the mill belonging to said Indians is partly located upon land heretofore selected by James Nicholson, it is hereby agreed that upon a relinquishment of ten acres of said land by

Amendment. *Post*, p. 661.

said Nicholson, in such form as may be determined by the agent for said Indians, he, the said Nicholson, shall be entitled to select eighty acres and to receive a patent therefor in fee simple.

Eighth article of former treaty not affected.

ARTICLE VIII. It is hereby expressly understood that the eighth article of the treaty of August second, eighteen hundred and fifty-five, shall in no wise be affected by the terms of this treaty.

Execution.

In testimony whereof, the said H. J. Alvord and the said D. C. Leach, Commissioners as aforesaid, and the undersigned chiefs and headmen of the Chippewas of Saginaw, Swan Creek, and Black River, have hereto set their hands and seals at Isabella, in the State of Michigan, the day and year first above written.

H. J. ALVORD, [SEAL.]
D. C. LEACH, [SEAL.]
Special Commissioners.

In the presence of—

RICHD. M. SMITH,
CHARLES H. RODD, *U. S. Interpreter*,
GEORGE BRADLEY.

S. D. SIMONDS, chief, his x mark. [SEAL.]
LYMAN BENNETT, headman, his x mark. [SEAL.]
JNO. PAY-ME-QUO-UNG, chief, his x mark. [SEAL.]
WILLIAM SMITH, headman, his x mark. [SEAL.]
NAUCK-CHE-GAW-ME, chief, his x mark. [SEAL.]
ME-SQUAW-WAW-NAW-QUOT, headman, his x mark. [SEAL.]
THOMAS DUTTON, chief, his x mark. [SEAL.]
PAIM-WAY-WE-DUNG, headman, his x mark. [SEAL.]
ELLIOTT KAYBAY, chief, his x mark. [SEAL.]
SOLOMON OTTAWA, headman, his x mark. [SEAL.]
ANDW. O-SAW-WAW-BUN, chief, his x mark. [SEAL.]
THOS. WAIN-DAW-NAW-QUOT, headman, his x mark. [SEAL.]
NAW-TAW-WAY, chief, his x mark. [SEAL.]
I-KAY-CHE-NO-TING, headman, his x mark. [SEAL.]
WILLIAM SMITH, chief, his x mark. [SEAL.]
NAW-GAW-NEVAY-WE-DUNG, headman, his x mark. [SEAL.]
NAW-WE-KE-ZHICK, chief, his x mark. [SEAL.]
I-YALK, headman, his x mark. [SEAL.]
NAY-AW-BE-TUNG, chief, his x mark. [SEAL.]
JOS. WAW-BE-KE-ZHICK, headman, his x mark. [SEAL.]
SAML. MEZ-HAW-QUAW-NAW-UM, chief, his x mark. [SEAL.]
JOHN P. WILLIAMS, headman, his x mark. [SEAL.]
L. PAY-BAW-MAW-SHE, chief, his x mark. [SEAL.]
NE-GAW-NE-QUO-UM, headman, his x mark. [SEAL.]
DAVID FISHER, chief, his x mark. [SEAL.]
WAW-BE-MAN-I-DO, headman, his x mark. [SEAL.]
NE-BE-NAY-AW-NAW-QUOT-WAY-BE, chief, his x mark. [SEAL.]
KEY-O-GWAW-NAY-BE, headman, his x mark. [SEAL.]

In the presence of—

RICHD. M. SMITH,
CHARLES H. RODD, *U. S. Interpreter.*

AMOS F. ALBRIGHT, *Supt. Mills.*
MARCUS GRINNELL, *U. S. Blacksmith.*
M. D. BOURASSA,
F. C. BABBITT,
GEORGE BRADLEY.

ISABELLA CITY, MICHIGAN, Oct. 21, 1864.

To H. J. ALVORD, ESQ.,
Special Com'r, &c.

Interpreter Charles H. Rodd having fully explained and interpreted to me the treaty made by you and Indian Agent Leach, special Com'rs, &c., with the Chippewas of Saginaw, Swan Creek, and Black River, Michigan, and concluded the 18th instant, you are hereby authorized to put my name to the same along with the other chiefs.

NAY-AW-BE-TUNG, his x mark,
Chief Chippewas of Saginaw, Swan Creek, and Black River, Michn.

In the presence of—

CHAS. H. RODD, *U. S. Interpreter.*

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-second day of May, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with amendments, in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
May 22, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention concluded at the Isabella Indian reservation, in the State of Michigan, on the eighteenth day of October, eighteen hundred and sixty-four, between the United States, by their Commissioners, and the Chippewas of Saginaw, Swan Creek, and Black River, in the State of Michigan, with the following

AMENDMENTS:

Amendments. *Ante*, pp. 659, 660.

1st. Article 4, after the word "rights," at the end of line 11, insert the following: *in the lands, buildings.*

2d. Same article, page 13, line 7, strike out the words "in fee simple," and insert in lieu thereof the following: *in trust for the benefit of said Indians.*

3d. Article 7, after the word "acres," in line 9, insert as follows; *of land, subject to the approval of the Secretary of the Interior.*

Attest:

J. W. FORNEY, *Secretary.*

And whereas the foregoing amendments having been fully explained and interpreted to the chiefs and headmen of the Chippewa Indians of Saginaw, Swan Creek, and Black River, whose names are subscribed to the writing hereto following, they did, on the eighteenth day of June, one thousand eight hundred and sixty-six, give their free and voluntary assent to the said amendments, in the words and figures following, to wit: —

Amendments assented to.

Whereas, the Senate of the United States, in executive session, did, on the twenty-second day of May, A. D. eighteen hundred and sixty-six, advise and consent to the ratification of the articles of agreement and convention concluded at the Isabella Indian reservation, in the State of

Michigan, on the eighteenth day of October, eighteen hundred and sixty-four, between the United States, by their Commissioners, and the Chippewas of Saginaw, Swan Creek, and Black River, in the State of Michigan, with the following amendments, viz: —

1st. Article 4, after the word "rights," at the end of line 11, insert the following: *in the lands, buildings.*

2d. Same article, page 13 line 7, strike out the words "in fee simple," and insert in lieu thereof the following: *in trust for the benefit of said Indians.*

3d. Article 7, after the word "acres," in line 9, insert as follows: *of land, subject to the approval of the Secretary of the Interior.*

And whereas the foregoing amendments have been fully interpreted and explained to the undersigned, chiefs and headmen of the Chippewas of Saginaw, Swan Creek, and Black River, we do hereby agree to and ratify the same.

Done at the Mackinac Agency, in the State of Michigan, on this eighteenth of June, eighteen hundred and sixty-six.

S. D. SIMONDS, chief, his x mark. [SEAL.]
LYMAN BENNETT, headman, his x mark. [SEAL.]
JOHN PAY-ME-QUO-UNG, chief, his x mark. [SEAL.]
WILLIAM SMITH, headman, his x mark. [SEAL.]
ANDREW O-SAW-WAW-BUN, chief, his x mark. [SEAL.]
JAMES KAW-GE-GAY-O-SAY, headman, his x mark. [SEAL.]
NAW-TAW-WAY, chief, his x mark. [SEAL.]
KAY-SHE-SHAW-WAY, headman, his x mark. [SEAL.]
WILLIAM SMITH, chief, his x mark. [SEAL.]
WILLIAM HART, headman, his x mark. [SEAL.]
NAW-WE-KE-ZHICK, chief, his x mark. [SEAL.]
I-YALK, headman, his x mark. [SEAL.]
NAY-AW-BE-TUNG, chief, his x mark. [SEAL.]
KAW-GE-GAY-BE, headman, his x mark. [SEAL.]
SAML. MEZHAW-QUAW-NAW-RUN, chief, his x mark. [SEAL.]
JOHN P. WILLIAMS, headman, his x mark. [SEAL.]
L. PAY-BAW-WAW-SHE, chief, his x mark. [SEAL.]
NE-GAW-NE-QUO-UM, headman, his x mark. [SEAL.]
NAUCK-CHE-GAW-ME, chief, his x mark. [SEAL.]
ME-SQUAW-WAW-NAW-QUOT, headman, his x mark. [SEAL.]
ELIJAH PILCHER, chief, his x mark. [SEAL.]
PAIM-WAY-WE-DUNG, headman, his x mark. [SEAL.]
DAVID FISHER, chief, his x mark. [SEAL.]
WAW-BE-MAW-NE-DO, headman, his x mark. [SEAL.]
NE-BE-NAY-AW-NAW-QUOT-WAY-BE, chief, his x mark. [SEAL.]
KEY-O-GWAW-NAY-BE, headman, his x mark. [SEAL.]
ELLIOTT KAY-BAY, chief, his x mark. [SEAL.]

In the presence of —

Richd. M. Smith, *U. S. Indian Agent.*
Chas. R. Rodd, *U. S. Interpreter.*
Amos F. Albright, *Supt. Mill.*
John Irons, *Missionary.*
George Bradley, *late Missionary.*

W. H. NELSON, *Judge Probate Isabella Co., Michn.*
F. C. BABBITT, *Postmaster Isabella City, Michn.*
L. BENTLY, *Treasurer Isabella Co., Michn.*
MILTON BRADLEY, *Clerk Isabella Co., Michn.*
P. C. ANDRÉ, *Special Interpreter.*

OFFICE MACKINAC INDIAN AGENCY,
Detroit, July 7, 1866.

I do hereby certify on honor that the foregoing amendments to the treaty negotiated with the Chippewas of Saginaw, Swan Creek, and Black River, within this agency, the eighteenth day of October, eighteen hundred and sixty-four, were by me submitted to the said Indians, and that the same were duly assented to and ratified by them.

RICHD. M. SMITH,
U. S. Indian Agent.

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-second of May, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendments as aforesaid.

In testimony whereof, I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this sixteenth day of August, 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.

[SEAL.]

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD, *Secretary of State.*

Convention between the United States and the Empire of Japan; Concluded October 22, 1864; *Proclaimed April* 9, 1866.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. Oct. 22, 1864.

A PROCLAMATION.

WHEREAS a Convention between the Empire of Japan and the governments of the United States, Great Britain, France, and Holland, providing for the payment to said governments of the sum of three million dollars ($3,000,000) for indemnities and expenses, was concluded and signed by their respective plenipotentiaries on the twenty-second day of October, eighteen hundred and sixty-four, which Convention, being in the English, Dutch, and Japanese languages, is word for word as follows: — Preamble.

CONVENTION.

The representatives of the United States of America, Great Britain, France, and the Netherlands, in view of the hostile acts of Mori Daizen, prince of Nagato and Suwo, which were assuming such formidable proportions as to make it difficult for the Tycoon faithfully to observe the treaties, having been obliged to send their combined forces to the Straits of Simonoseki in order to destroy the batteries erected by that daimio for the destruction of foreign vessels and the stoppage of trade; and the government of the Tycoon, on whom devolved the duty of chastising this rebellious prince, being held responsible for any damage resulting to the interests of treaty powers, as well as the expenses occasioned by the expedition: Amount of damages to be paid the four treaty powers.

The undersigned, representatives of treaty powers, and Sakai Hida no Kami, a member of his second council, invested with plenipotentiary powers by the Tycoon of Japan, animated with the desire to put an end to all reclamations concerning the acts of aggression and hostility committed by the said Mori Daizen since the first of these acts, in June, 1863, against the flags of divers treaty powers, and at the same time to regulate definitively the question of indemnities of war, of whatever kind, in respect to the allied expedition to Simonoseki, have agreed and determined upon the four articles following: —

I. The amount payable to the four powers is fixed at three millions of dollars. This sum to include all claims, of whatever nature, for past aggressions on the part of Nagato, whether indemnities, ransom for Simonoseki, or expenses entailed by the operations of the allied squadrons. All claims included.

II. The whole sum to be payable quarterly, in instalments of one sixth, or half a million dollars, to begin from the date when the representatives of said powers shall make known to the Tycoon's government the ratification of this Convention and the instructions of their respective governments. Instalments, and when payable.

III. Inasmuch as the receipt of money has never been the object of the said powers, but the establishment of better relations with Japan, and the desire to place these on a more satisfactory and mutually advantageous footing is still the leading object in view; therefore, if his Majesty the Tycoon wishes to offer, in lieu of payment of the sum claimed, and as a material compensation for loss and injury sustained, the opening of Simonoseki, or some other eligible port in the Inland sea, it shall be at the Opening of a port in the Inland sea may be accepted in lieu of payment of money.

option of the said foreign governments to accept the same, or insist on the payment of the indemnity in money, under the conditions above stipulated.

When to be ratified.

IV. This Convention to be formally ratified by the Tycoon's government within fifteen days from the date thereof.

Execution.

In token of which, the respective plenipotentiaries have signed and sealed this Convention, in quintuplicate, with English, Dutch, and Japanese versions, whereof the English shall be considered the original.

Done at Yokohama, this 22d day of October, 1864, corresponding to the 22d day of the ninth month of the first year of Gengi.

ROBERT H. PRUYN,
Minister Resident of the United States in Japan.
RUTHERFORD ALCOCK,
H. B. M's Envoy Extraordinary and Minister Plenipotentiary in Japan.
LEON ROCHES,
Ministre Plenipotentiaire de S. M. L'Empereur des Francais au Japan.
D. DE GRAEFF VAN POLSBROEK,
H. N. M's Consul-General and Political Agent in Japan.
(Signature of Sakai Hida no Kami.)

Ratification.

And whereas the said Convention has been duly ratified by the respective governments: —

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

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 ninth day of April, in the year of our Lord one thousand eight hundred and sixty-six, [L. S.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:
William H. Seward, *Secretary of State.*

Treaty between the United States of America and the Omaha Tribe of Indians; Concluded March 6, 1865; Ratification advised February 13, 1866; Proclaimed February 15, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, March 6, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble

WHEREAS a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the sixth day of March, in the year of our Lord one thousand eight hundred and sixty-five, by and between Clark W. Thompson and Robert W. Furnas, Commissioners, on the part of the United States, and E-sta-mah-zha, or Joseph La Flesche, Gra-ta-mah-zhe, or Standing Hawk, Ga-he-ga-zhin-ga, or Little Chief, Tah-wah-ga-ha, or Village Maker, Wah-no-ke-ga, or Noise, Sha-da-na-ge, or Yellow Smoke, Wastch-com-ma-nu, or Hard Walker, Pad-a-ga-he, or Fire Chief, Ta-su, or White Cow, and Ma-ha-nin-ga, or No Knife, Chiefs of the Omaha Tribe of Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:

Contracting parties.

ARTICLES OF TREATY made and concluded at Washington, D. C., on the sixth day of March, A. D. 1865, between the United States of America, by their Commissioners, Clark W. Thompson and Robert W. Furnas, and the Omaha tribe of Indians, by their chiefs, E-sta-mah-za, or Joseph La Flesche; Gra-ta-mah-zhe, or Standing Hawk; Ga-he-ga-zhin-ga, or Little Chief; Tah-wah-gah-ha, or Village Maker; Wah-no-ke-ga, or Noise; Sha-da-na-ge, or Yellow Smoke; Wastch-com-ma-nu, or Hard Walker; Pad-a-ga-he, or Fire Chief; Ta-su, or White Cow; Ma-ha-nin-ga, or No Knife.

Cession of land to the United States.

ARTICLE I. The Omaha tribe of Indians do hereby cede, sell, and convey to the United States a tract of land from the north side of their present reservation, defined and bounded as follows, viz: commencing at a point on the Missouri river four miles due south from the north boundary line of said reservation, thence west ten miles, thence south four miles, thence west to the western boundary line of the reservation, thence north to the northern boundary line, thence east to the Missouri river, and thence south along the river to the place of beginning; and that the said Omaha tribe of Indians will vacate and give possession of the lands ceded by this treaty immediately after its ratification: *Provided*, That nothing herein contained shall be construed to include any of the lands upon which the said Omaha tribe of Indians have now improvements, or any land or improvements belonging to, connected with, or used for the benefit of the Missouri school now in existence upon the Omaha reservation.

Boundaries.

Proviso.

Payment to the Omahas, and how to be expended.

ARTICLE II. In consideration of the foregoing cession, the United States agree to pay to the said Omaha tribe of Indians the sum of fifty thousand dollars, to be paid upon the ratification of this treaty, and 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 up lands, and other improvements on their reservation.

Article of former treaty to be extended. Vol. x. p. 1045.

ARTICLE III. In further consideration of the foregoing cession, the United States agree to extend the provisions of article VIII. of the treaty between the Omaha tribe of Indians and the United States, made on the 16th day of March, A. D. 1854, for a term of ten years from and after the ratification of this treaty; and the United States further agree to pay to the said Omaha tribe of Indians, upon the ratification of this treaty,

Damages.

the sum of seven thousand dollars as damages in consequence of the occupancy of a portion of the Omaha reservation not hereby ceded, and use and destruction of timber by the Winnebago tribe of Indians while temporarily residing thereon.

Present reservation to be divided among members of the tribe in severalty.

ARTICLE IV. The Omaha Indians being desirous of promoting settled habits of industry and enterprise amongst themselves by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof in severalty to the members of the tribe, including their half or mixed blood relatives now residing with them, to be cultivated and improved for their own individual use and benefit, it is hereby agreed and stipulated that the remaining portion of their present reservation shall be set apart for said purposes; and that out of the same

How assigned.

there shall be assigned to each head of a family not exceeding one hundred and sixty acres, and to each male person, eighteen years of age and upwards, without family, not exceeding forty acres of land — to include in every case, as far as practicable, a reasonable proportion of timber; six hundred and forty acres of said lands, embracing and surrounding the

Agency.

present agency improvements, shall also be set apart and appropriated to the occupancy and use of the agency for said Indians. The lands to be so assigned, including those for the use of the agency, shall be in as regular and compact a body as possible, and so as to admit of a distinct and well-defined exterior boundary. The whole of the lands, assigned or

Omaha reservation.

unassigned, in severalty, shall constitute and be known as the Omaha reservation, within and over which all laws passed or which may be passed by Congress regulating trade and intercourse with the Indian tribes shall

Whites not to go or reside thereon, unless, &c.

have full force and effect, and no white person, except such as shall be in the employ of the United States, shall be allowed to reside or go upon any portion of said reservation without the written permission of the superintendent of Indian affairs or the agent for the tribe. Said division and assignment of lands to the Omahas in severalty shall be made under the direction of the Secretary of the Interior, and when approved by him,

Certificates to be issued for tracts assigned.

shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts so assigned, specifying the names of the individuals to whom they have been assigned respectively, and that they are for the exclusive use and benefit of themselves, their

Not to be alienated nor leased, &c.

heirs, and descendants; and said tracts shall not be alienated in fee, leased, or otherwise disposed of except to the United States or to other members of the tribe, under such rules and regulations as may be prescribed by the Secretary of the Interior, and they shall be exempt from taxation, levy, sale, or forfeiture, until otherwise provided for by Congress.

Omahas may repurchase this land, if the location of the Winnebagos affects their peace.

ARTICLE V. It being understood that the object of the Government in purchasing the land herein described is for the purpose of locating the Winnebago tribe thereon, now, therefore, should their location there prove detrimental to the peace, quiet, and harmony of the whites as well as of the two tribes of Indians, then the Omahas shall have the privilege of re-purchasing the land herein ceded upon the same terms they now sell.

Execution.

In testimony whereof, the said Clark W. Thompson and Robert W. Furnas, Commissioners as aforesaid, and the said chiefs and delegates of the Omaha tribe of Indians, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

CLARK W. THOMPSON,
R. W. FURNAS,
Commissioners.

E-STA-MAH-ZHA, or Joseph La Flesche, his x mark. [SEAL.]
GRA-TA-MAH-ZHE, or Standing Hawk, his x mark. [SEAL.]
GA-HE-GA-ZHIN-GA, or Little Chief, his x mark. [SEAL.]
TAH-WAH-GA-HA, or Village Maker, his x mark. [SEAL.]
WAH-NO-KE-GA, or Noise, his x mark. [SEAL.]
SHA-DA-NA-GE, or Yellow Smoke, his x mark. [SEAL.]
WASTCH-COM-MA-NU, or Hard Walker, his x mark. [SEAL.]
PAD-A-GA-HE, or Fire Chief, his x mark. [SEAL.]
TA-SU, or White Cow, his x mark. [SEAL.]
MA-HA-NIN-GA, or No Knife, his x mark. [SEAL.]

In presence of—

H. CHASE, *U. S. Interpreter.*
LEWIS SAUNSOCI, *Interpreter.*
ST. A. D. BALCOMBE, *U. S. Indian Agent.*
GEO. N. PROPPER.
J. N. H. PATRICK.

And whereas the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the thirteenth day of February, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same by a resolution in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
February 13, 1866.

Ratification.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the Treaty between the United States of America, by their Commissioners, Clark W. Thompson and Robert W. Furnas, and the Omaha tribe of Indians, made and concluded at Washington, D. C., on the sixth day of March, A. D. 1865.

Attest: J. W. FORNEY, *Secretary.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the thirteenth of February, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said Treaty.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the City of Washington, this fifteenth day of February, in the year of our Lord one thousand eight hundred and [L. S.] 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.*

Treaty between the United States of America and the Winnebago Tribe of Indians; Concluded March 8, 1865; *Ratification advised, with Amendment, February* 13, 1866; *Amendment accepted February* 20, 1866; *Proclaimed March* 28, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

March 8, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble.

WHEREAS a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the eighth day of March, in the year of our Lord one thousand eight hundred and sixty-five, by and between William P. Dole, Clark W. Thompson, and St. A. D. Balcombe, Commissioners, on the part of the United States, and Little Hill, Little Dacoria, Whirling Thunder, Young Prophet, Good Thunder, Young Crane, and White Breast, Chiefs of the Winnebago Tribe of Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Contracting parties.

ARTICLES OF TREATY made and concluded at Washington, D. C., between the United States of America, by their Commissioners, Wm. P. Dole, C. W. Thompson, and St. A. D. Balcombe, and the Winnebago Tribe of Indians, by their chiefs Little Hill, Little Decoria, Whirling Thunder, Young Prophet, Good Thunder, and White Breast, on the 8th day of March, 1865.

Cession of lands to the United States.

ARTICLE I. The Winnebago tribe of Indians hereby cede, sell, and convey to the United States all their right, title, and interest in and to their present reservation in the Territory of Dakota, at Usher's Landing, on the Missouri river, the metes and bounds whereof being on file in the Indian Department.

Reservation for the Winnebagos.

ARTICLE II. In consideration of the foregoing cession, and the valuable improvements thereon, the United States agree to set apart for the occupation and future home of the Winnebago Indians, forever, all that certain tract or parcel of land ceded to the United States by the Omaha tribe of Indians on the sixth day of March, A. D. 1865, situated in the Territory of Nebraska, and described as follows, viz: Commencing at a point on the Missouri river four miles due south from the north boundary line of said reservation; thence west ten miles; thence south four miles; thence west to the western boundary line of the reservation; thence north to the northern boundary line; thence east to the Missouri river; and thence south along the river to the place of beginning.

Boundaries.

The United States to erect mills, to break, &c. lands, to furnish seeds, tools, &c.

Amendment.

Post. p. 672.

ARTICLE III. In further consideration of the foregoing cession, and in order that the Winnebagos may be as well situated as they were when they were moved from Minnesota, the United States agree to erect on their reservation, hereby set apart, a good steam saw-mill with a grist-mill attached, and to break and fence one hundred acres of land for each band, and supply them with seed, to sow and plant the same, and shall furnish them with two thousand dollars' worth of guns, sixty horses, one hundred cows, twenty yoke of oxen and wagons, two chains each, and five hundred dollars' worth of agricultural implements, in addition to those on the reserve hereby ceded.

Agency and other buildings and houses for chiefs.

ARTICLE IV. The United States further agree to erect on said reservation an agency building, school-house, warehouse, and suitable buildings for the physician, interpreter, miller, engineer, carpenter, and blacksmith, and a house 18 by 24 feet, one and a half story high, well shingled and substantially finished, for each chief.

Expenses of removal, &c.

ARTICLE V. The United States also stipulate and agree to remove the Winnebago Tribe of Indians and their property to their new home, and to subsist the tribe one year after their arrival there.

In testimony whereof, the said Wm. P. Dole, Clark W. Thompson, and St. A. D. Balcombe, Commissioners as aforesaid, and the undersigned chiefs and delegates of the Winnebago Tribe of Indians, have hereunto set their hands and seals, at the place and on the day hereinbefore written.

W. P. DOLE,
CLARK W. THOMPSON,
ST. A. D. BALCOMBE,
Commissioners.

LITTLE HILL, his x mark. [SEAL.]
LITTLE DACORIA, his x mark. [SEAL.]
WHIRLING THUNDER, his x mark. [SEAL.]
YOUNG PROPHET, his x mark, [SEAL.]
GOOD THUNDER, his x mark, [SEAL.]
YOUNG CRANE, his x mark, [SEAL.]
WHITE BREAST, his x mark, [SEAL.]

In presence of —
MITCHELL ST. CYR, *United State[s] Interpreter.*
ALEXANDER PAYN, " " "
R. W. FURNAS, *U. S. Agt. for Omahas.*
BENJ. F. LUSHBAUGH, *U. S. Indian Agent.*
AUGUSTUS KOUNTZE.
C. HAZLETT.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the thirteenth day of February, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
February 13, 1866.

Ratification with amendment.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Washington, D. C., between the United States of America, by their Commissioners, William P. Dole, C. W. Thompson, and St. A. D. Balcombe, and the Winnebago Tribe of Indians, by their chiefs Little Hill, Little *Decorice*, [Dacoria,] Whirling Thunder, *Yound* [Young] Prophet, Good Thunder, and White Breast, on the 8th day of March, 1865, with the following

AMENDMENT:

See *Ante*, p. 671. Article 3d, line 7, strike out the word "sixty," and insert the words *four hundred.*

Attest: J. W. FORNEY, *Secretary.*

And whereas information of the foregoing amendment having been given to the Chiefs of the Winnebago Tribe of Indians whose names are subscribed to the writing hereto following, they did, on the twentieth day of February, one thousand eight hundred and sixty-six, give their free

and voluntary assent to said amendment in the words and figures following, to wit: —

OMAHA INDIAN AGENCY, NEBRASKA TERRITORY,
February 20, 1866.

Amendment accepted.

Be it known that we, the chiefs of the Winnebago Tribe of Indians, in council assembled, being informed by Superintendent E. B. Taylor, through acting agent R. W. Furnas, that the treaty entered into by our chiefs and legal representatives, on our part, and the United States, by Commissioners, on *its* [their] part, in March, 1865, has been so amended as to provide for four hundred head of horses instead of sixty head, as originally stipulated, we hereby agree to said amendment, and consent to its being made a part of the original Treaty.

In testimony whereof we have hereto set our hands and seals the day and year above written.

LITTLE HILL, his x mark.	[SEAL.]
GOOD HEART, his x mark.	[SEAL.]
GOOD THUNDER, his x mark.	[SEAL.]
THOMAS JEFFERSON, his x mark.	[SEAL.]
COO-NA-HUT-TA-KA, his x mark.	[SEAL.]
YOUNG FRENCH, his x mark.	[SEAL.]
OLD ROGUE, his x mark.	[SEAL.]
WHIRLING THUNDER, his x mark.	[SEAL.]
YOUNG PROPHET, his x mark.	[SEAL.]
LITTLE DECORA, his x mark.	[SEAL.]
BIG BEAR, his x mark.	[SEAL.]

Signed in presence of —

R. W. FURNAS, *U. S. Ind. Ag't.*
FRANK THEBALT, *Interpreter.*
ALEX. PAYN, "
MERSHALL ST. SCYR, "
ROBERT TEARE, *Citizen.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the thirteenth of February, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said Treaty with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this twenty-eighth day of March, in the year of our Lord one thousand eight hundred
[L. S.] 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.*

Supplemental Treaty between the United States of America and the Ponca Tribe of Indians; Concluded March 10, 1865; *Ratification advised March* 2, 1867; *Proclaimed March* 28, 1867.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME GREETING: March 10, 1865.

Preamble.

WHEREAS a supplemental Treaty was made and concluded at the city of Washington, in the District of Columbia, on the tenth day of March, in the year of our Lord one thousand eight hundred and sixty-five, by and between William P. Dole, Commissioner, on the part of the United States, and Wah-gah-sap-pi, or Iron Whip, Gist-tah-wah-gu, or Strong Walker, Wash-com-mo-ni, or Mitchell P. Cerre, Ash-nan-e-kah-gah-he, or Lone Chief, and Tah-ton-ga-nuz-zhe, or Standing Buffalo, chiefs and headmen of the Ponca tribe of Indians, on the part of said Indians, and duly authorized thereto by them, which Treaty is in the words and figures following, to wit:—

Contracting parties.

SUPPLEMENTAL TREATY between the United States of America and the Ponca tribe of Indians, made at the city of Washington on the tenth day of March, A. D. 1865, between William P. Dole, Commissioner on the part of the United States, and Wah-gah-sap-pi, or Iron Whip; Gist-tah-wah-gu, or Strong Walker; Wash-com-mo-ni, or Mitchell P. Cerre; Ash-nan-e-kah-gah-he, or Lone Chief; Tah-ton-ga-nuz-zhe, or Standing Buffalo; on the part of the Ponca tribe of Indians, they being duly authorized and empowered by the said tribe, as follows, viz:—

Cession of lands to the United States. Vol. xii. p. 997. Boundaries.

ARTICLE I. The Ponca tribe of Indians hereby cede and relinquish to the United States all that portion of their present reservation as described in the first article of the treaty of March 12th, 1858, lying west of the range line between townships numbers (32) thirty-two and (33) thirty-three north, ranges (10) ten and (11) eleven west of the (6) sixth principal meridian, according to the Kansas and Nebraska survey; estimated to contain thirty thousand acres, be the same more or less.

Certain fractional townships of land ceded by the United States to the Poncas.

ARTICLE II. In consideration of the cession or release of that portion of the reservation above described by the Ponca tribe of Indians to the government of the United States, the government of the United States, by way of rewarding them for their constant fidelity to the government and citizens thereof, and with a view of returning to the said tribe of Ponca Indians their old burying-grounds and cornfields, hereby cede and relinquish to the tribe of Ponca Indians the following-described fractional townships, to wit: township (31) thirty-one north, range (7) seven west; also fractional township (32) thirty-two north, ranges (6,) six, (7,) seven,

(8,) eight, (9,) nine, and (10) ten west; also fractional township (33) thirty-three north, ranges (7) seven and (8) eight west; and also all that portion of township (33) thirty-three north, ranges (9) nine and (10) ten west, lying south of Ponca creek; and also all the islands in the Niobrara or Running Water river, lying in front of lands or townships above ceded by the United States to the Ponca tribe of Indians.

Claims of settlers for improvements, how to be settled.

But it is expressly understood and agreed that the United States shall not be called upon to satisfy or pay the claims of any settlers for improvements upon the lands above ceded by the United States to the Poncas, but that the Ponca tribe of Indians shall, out of their own funds, and at their own expense, satisfy said claimants, should any be found upon said lands above ceded by the United States to the Ponca tribe of Indians.

Indemnity for spoliation.

ARTICLE III. The government of the United States, in compliance with the first paragraph of the second article of the treaty of March 12th, 1858, hereby stipulate and agree to pay to the Ponca tribe of Indians for indemnity for spoliation committed upon them, satisfactory evidence of which has been lodged in the office of the commissioner of Indian affairs, and payment recommended by that officer, and also by the Secretary of the Interior, the sum of fifteen thousand and eighty dollars.

Expenses of this treaty to be paid by Indians.

ARTICLE IV. The expenses attending the negotiation of this treaty or agreement shall be paid by the United States.

Execution.

In testimony whereof, the said Wm. P. Dole, Commissioner as aforesaid, and the undersigned, chiefs of the Ponca tribe of Indians, have hereunto set their hands and seals at the place and on the day hereinbefore written.

WM. P. DOLE.

WAH-GAH-SAP-PI, or Iron Whip, his x mark. [SEAL.]
GIST-TAH-WAH-GU, or Strong Walker, his x mark. [SEAL.]
WASH-COM-MO-NI, or Mitchell P. Cerre, his x mark. [SEAL.]
ASH-NAN-E-KAH-GAH-HE, or Lone Chief, his x mark. [SEAL.]
TAH-TON-GA-NUZ-ZHE, or Standing Buffalo, his x mark. [SEAL.]

Executed in the presence of—
CHAS. SIMS.
STEPHEN A. DOLE.
NEWTON EDMUNDS.
J. SHAW GREGORY.
GEORGE N. PROPPER.

Ratification advised.

And whereas the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the second day of March, one thousand eight hundred and sixty-seven, advise and consent to the ratification of the same, by a resolution, in the words and figures following, to wit: —

IN EXECUTIVE SESSION SENATE OF THE UNITED STATES,
March 2, 1867.

Resolved, That the Senate advise and consent to the ratification of the supplemental Treaty with the Ponca tribe of Indians, concluded at Washington, March 10, 1865.

Attest: J. W. FORNEY, *Secretary.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the second of March, one thousand eight hundred and sixty-seven, accept, ratify, and confirm the said Treaty.

In testimony whereof I have hereto signed my name, and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-eighth day of March, in the year of our Lord one thousand eight hundred and sixty-
[SEAL.] 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.*

Convention between the United States, Austria, Belgium, Spain, France, Great Britain, Italy, the Netherlands, Portugal, and Sweden on the one part, and the Sultan of Morocco on the other part; Concluded May 31, 1865; *Proclaimed, March* 12, 1867.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: May 31, 1865.

A PROCLAMATION.

WHEREAS a Convention between the United States, Austria, Belgium, Spain, France, Great Britain, Italy, the Netherlands, Portugal, and Sweden on the one part, and the Sultan of Morocco on the other part, concerning the administration and upholding of the lighthouse at Cape Spartel, was concluded and signed by their respective plenipotentiaries on the thirty-first day of May, one thousand eight hundred and sixty-five, which Convention, being in the French and Arabic languages, is word for word as follows: — Preamble.

CONVENTION between the United States, Austria, Belgium, Spain, France, Great Britain, Italy, the Netherlands, Portugal, and Sweden on the one part, and the Sultan of Morocco on the other part, concerning the administration and upholding of the lighthouse at Cape Spartel. Contracting parties.

In the name of the only God! There is no strength nor power but of God.

His Excellency the President of the United States of America, and His Majesty the Emperor of Austria, King of Hungary and Bohemia, his Majesty the King of the Belgians, her Majesty the Queen of Spain, his Majesty the Emperor of the French, her Majesty the Queen of the United Kingdom of Great Britain and Ireland, his Majesty the King of Italy, his Majesty the King of the Netherlands, his Majesty the King of Portugal and the Algarves, his Majesty the King of Sweden and Norway, and his Majesty the Sultan of Morocco and of Fez, moved by a like desire to assure the safety of navigation along the coasts of Morocco, and desirous to provide, of common accord, the measures most proper to attain this end, have resolved to conclude a special convention, and have for this purpose appointed their plenipotentiaries, to wit: —

His Excellency the President of the Republic of the United States: Jesse Harland McMath, Esquire, his consul-general near his Majesty the Sultan of Morocco; Plenipotentiaries.

His Majesty the Emperor of Austria, King of Hungary and of Bohemia: Sir John Hay Drummond Hay, commander of the very honorable Order of the Bath, his general agent ad interim near his Majesty the Sultan of Morocco;

His Majesty the King of the Belgians: Ernest Daluin, knight of his Order of Leopold, commander of number of the Order of Isabella the Catholic, of Spain, commander of the Order of Nichan Eftikhar, of Tunis, his consul-general for the west coast of Africa;

Her Majesty the Queen of Spain: Don Francisco Merry y Colom, Grand Cross of the Order of Isabella the Catholic, knight of the Order of St. John of Jerusalem, decorated with the Imperial Ottoman Order of Medjidie of the third class, officer of the Order of the Legion of Honor, her minister resident near his Majesty the Sultan of Morocco;

His Majesty the Emperor of the French: Auguste Louis Victor, Baron Ayme d'Aquim, officer of the Legion of Honor, commander of the

Order of Francis the First of the Two Sicilies, commander of the Order of St. Maurice and Lazarus of Italy, commander of the Order of Christ of Portugal, commander of the Order of the Lions of Brunswick, knight of the Order of Constantine of the Two Sicilies, knight of the Order of Guelphs of Hanover, his plenipotentiary near his Majesty the Sultan of Morocco;

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland: Sir John Hay Drummond Hay, commander of the very honorable Order of the Bath, her minister resident near his Majesty the Sultan of Morocco;

His Majesty the King of Italy: Alexander Verdinois, knight of the Order of St. Maurice and Lazarus, agent and consul-general of Italy, near his Majesty the Sultan of Morocco;

His Majesty the King of the Netherlands: Sir John Hay Drummond Hay, commander of the very honorable Order of the Bath, acting consul-general of the Netherlands, in Morocco;

His Majesty the King of Portugal and the Algarves; José Daniel Colaco, commander of his Order of Christ, knight of the Order of the Rose of Brazil, his consul-general near his Majesty the Sultan of Morocco;

His Majesty the King of Sweden and of Norway: Selim d'Ehrenhoff, knight of the Order of Wasa, his consul-general near his Majesty the Sultan of Morocco;

And his Majesty the Sultan of Morocco and of Fez, the Literary Sid Mohammed Bargash, his minister for foreign affairs;

Who, after having exchanged their full powers, found in good and due form, agreed upon the following articles: —

The direction of the light-house at Cape Spartel to devolve upon, &c.

ARTICLE I. His Majesty Scherifienne, having, in an interest of humanity, ordered the construction, at the expense of the government of Morocco, of a lighthouse at Cape Spartel, consents to devolve, throughout the duration of the present convention, the superior direction and administration of this establishment on the representatives of the contracting powers. It is well understood that this delegation does not import any encroachment on the rights, proprietary and of sovereignty, of the Sultan, whose flag alone shall be hoisted on the tower of the Pharos.

The expenses of management to be borne by whom.

ARTICLE II. The government of Morocco not at this time having any marine, either of war or commerce, the expenses necessary for upholding and managing the lighthouse shall be borne by the contracting powers by means of an annual contribution, the quota of which shall be alike for all of them. If, hereafter, the Sultan should have a naval or commercial marine, he binds himself to take share in the expenses in like proportion with the other subscribing powers. The expenses of repairs, and in need of reconstruction, shall also be at his cost.

Guard for the lighthouse.

ARTICLE III. The Sultan will furnish for security of the lighthouse a guard, composed of a Kaid and four soldiers. He engages, besides, to provide for, by all the means in his power, in case of war, whether internal or external, the preservation of this establishment, as well as for the safety of the keepers and persons employed. On the other part, the contracting powers bind themselves, each so far as concerned, to respect the neutrality of the lighthouse, and to continue the payment of the contribution intended to uphold it, even in case (which God forbid) hostilities should break out, either between them or between one of them and the empire of Morocco.

Regulations for the superintendence of the establishment.

ARTICLE IV. The representatives of the contracting powers charged, in virtue of Article I. of the present Convention, with the superior direction and management of the lighthouse, shall establish the necessary regulations for the service and superintendence of this establishment, and no modification shall be afterward applied to these articles, except by common agreement between the contracting powers.

ARTICLE V. The present Convention shall continue in force ten years. In case, within six months of the expiration of this term, none of the high contracting parties should, by official declaration, have made known its purpose to bring to a close, so far as may concern it, the effects of this Convention, it shall continue in force for one year more, and so from year to year, until due notice. This Convention to continue in force ten years. Further continuance.

ARTICLE VI. The execution of the reciprocal engagements contained in the present Convention is subordinated, so far as needful, to the accomplishment of the forms and regulations established by the constitutional laws of those of the high contracting powers who are held to ask for their application thereto, which they bind themselves to do with the least possible delay. Execution of the engagements hereof made subordinate, &c.

ARTICLE VII. The present Convention shall be ratified, and the ratifications be exchanged at Tangier, as soon as can be done. Ratification.

In faith whereof, the respective plenipotentiaries have signed and affixed thereto the seals of their arms.

Done in duplicate original, in French and in Arabic, at Tangier, protected of God, the fifth day of the moon of Moharrem, year of the Hegira twelve hundred and eighty-two, which corresponds with the thirty-first of the month of May, of the year one thousand eight hundred and sixty-five. Execution.

JESSE H. M'MATH. [L. S.]
J. H. DRUMMOND HAY. [L. S.]
ERNEST DALUIN. [L. S.]
FRANCISCO MERRY Y COLOM. [L. S.]
AYME D'AQUIN. [L. S.]
J. H. DRUMMOND HAY. [L. S.]
ALEXANDRE VERDINOIS. [L. S.]
J. H. DRUMMOND HAY. [L. S.]
JOSE DANIEL COLACO. [L. S.]
S. D'EHRENHOFF. [L. S.]

And whereas the said Convention has been duly ratified by the respective governments: —

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof. Proclaimed.

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 twelfth day of March, in the year of our Lord one thousand eight hundred and sixty-seven, [SEAL.] and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Woll-pah-pe Tribe of Snake Indians; Concluded August 12, 1865; *Ratification advised July* 5, 1866; *Proclaimed July* 10, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, August 12, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble. WHEREAS a treaty was made and concluded at Sprague River Valley, on the twelfth day of August, in the year of our Lord one thousand eight hundred and sixty-five, by and between J. W. Perit Huntington, Commissioner, on the part of the United States, and Pah-ni-ne, Hau-ni-noo-ey, and other chiefs and headmen, on the part of the Woll-pah-pe tribe of Snake Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties. ARTICLES OF AGREEMENT AND CONVENTION made and concluded at Sprague River Valley, on this twelfth day of August, in the year one thousand eight hundred and sixty-five, by J. W. Perit Huntington, superintendent of Indian affairs in Oregon, on the part of the United States, and the undersigned chiefs and headmen of the Woll-pah-pe tribe of Snake Indians, acting in behalf of said tribe, being duly authorized so to do.

Peace. ARTICLE I. Peace is declared henceforth between the United States and the Woll-pah-pe tribe of Snake Indians, and also between said tribe and all other tribes in amity with the United States. All prisoners and slaves held by the Woll-pah-pe tribe, whether the same are white persons or members of Indian tribes in amity with the United States, shall be released; and all persons belonging to the said Woll-pah-pe tribe now held as prisoners by whites, or as slaves by other Indian tribes, shall be given up.

Prisoners and slaves.

Cession of lands to the United States. Boundaries. ARTICLE II. The said tribe hereby cedes and relinquishes to the United States all their right, title, and interest to the country occupied by them, described as follows, to wit: Beginning at the Snow Peak in the summit of the Blue Mountain range, near the heads of the Grande Ronde river and the north fork of John Day's river; thence down said north fork of John Day's river to its junction with the south fork; thence due south to Crooked river; thence up Crooked river and the south fork thereof to its source; thence southeasterly to Harney lake; thence northerly to the heads of Malheur and Burnt rivers; thence continuing northerly to the place of beginning.

Indians to remove to reservation. ARTICLE III. The said tribe agree to remove forthwith to the reservation designated by the treaty concluded on the 15th of October, 1864, with the Klamath, Moadoc, and Yahooskiu Snake Indians, there to remain under the authority and protection of such Indian agent, or other officer, as the government of the United States may assign to such duty, and no member of said tribe shall leave said reservation for any purpose without the written consent of the agent or superintendent having jurisdiction over said tribe.

to submit to the United States, and not depredate. ARTICLE IV. The said Woll-pah-pe tribe promise to be friendly with the people of the United States, to submit to the authority thereof, and to commit no depredations upon the persons or property of citizens thereof,

Offenders to be given up, &c.

or of other Indian tribes; and should any member of said tribe commit any such depredations, he shall be delivered up to the agent for punishment, and the property restored. If after due notice the tribe neglect or refuse to make restitution, or the property is injured or destroyed, compensation may be made by the government out of the annuities hereinafter provided. In case of any depredation being committed upon the person or property of any member of the aforesaid Woll-pah-pe tribe, it is stipulated that no attempt at revenge, retaliation, or reclamation shall be made by said tribe; but the case shall be reported to the agent or superintendent in charge, and the United States guarantee that such depredation shall be punished in the same manner as if committed against white persons, and that the property shall be restored to the owner.

Wrongs upon the Indians, how redressed.

Hostile tribes. Sale of arms, &c.

ARTICLE V. The said tribe promise to endeavor to induce the Hoo-ne-boo-ey and Wa-tat-kah tribes of Snake Indians to cease hostilities against the whites; and they also agree that they will, in no case, sell any arms or ammunition to them nor to any other tribe hostile to the United States.

Fencing, and cultivating lands.

Seeds, tools, &c.

ARTICLE VI. The United States agree to expend, for the use and benefit of said tribe, the sum of five thousand dollars to enable the Indians to fence, break up, and cultivate a sufficient quantity of land for their use, to supply them with seeds, farming implements, domestic animals, and such subsistence as may be necessary during the first year of their residence upon the reservation.

Beneficial expenditures.

ARTICLE VII. The United States also agree to expend, for the use and benefit of said tribe, the sum of two thousand dollars per annum for five years next succeeding the ratification of this treaty, and twelve hundred dollars per annum for the next ten years following, the same to be expended under the direction of the President of the United States for such objects as, in his judgment, will be beneficial to the Indians, and advance them in morals and knowledge of civilization.

Physician. Mechanics, &c. Mills and school-houses.

Interpreter.

ARTICLE VIII. The said tribe, after their removal to the reservation, are to have the benefit of the services of the physician, mechanics, farmers, teachers, and other employés provided for in the treaty of the 15th October, 1864, in common with the Klamaths, Moadocs, and Yahooskiu Snakes, and are also to have the use of the mills and school-houses provided for in said treaty, so far as may be necessary to them, and not to the disadvantage of the other tribes; and, in addition, an interpreter who understands the Snake language shall be provided by the government. Whenever, in the judgment of the President, the proper time shall have arrived for an allotment of land in severalty to the Indians upon the said reservation, a suitable tract shall be set apart for each family of the said Woll-pah-pe tribe, and peaceable possession of the same is guaranteed to them.

Possession of ardent spirits on reservation, how punished.

ARTICLE IX. The tribe are desirous of preventing the use of ardent spirits among themselves, and it is therefore provided that any Indian who brings liquor on to the reservation, or who has it in his possession, may in addition to the penalties affixed by law, have his or her proportion of the annuities withheld for such time as the President may determine.

Treaty, when to be obligatory.

ARTICLE X. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the Senate of the United States.

Execution.

In testimony whereof, the said J. W. Perit Huntington, superintendent of Indian affairs, and the undersigned chiefs and headmen of the tribe aforesaid, have hereunto set their signatures and seals, at the place and on the day and year above written.

J. W. PERIT HUNTINGTON,
Supt. Indian Affairs in Oregon. [SEAL.]
PAH-NI-NE, his x mark. [SEAL.]

HAU-NI-NOO-EY,	his x mark.	[SEAL.]
KI-NAU-NEY,	his x mark.	[SEAL.]
WA-AK-CHAU,	his x mark.	[SEAL.]
CHOK-KO-SI,	his x mark.	[SEAL.]
SHE-ZHE,	his x mark.	[SEAL.]
CHE-EM-MA,	his x mark.	[SEAL.]
NOW-HOOP-A-COW-ICK,	his x mark.	[SEAL.]
KI-PO-WEET-KA,	his x mark.	[SEAL.]
HAU-NE, or SHAS-TOOK,	his x mark.	[SEAL.]
SAH-TOO-TOO-WE,	his x mark.	[SEAL.]

Executed in our presence —
W. V. RINEHART, *Maj. 1st Oregon Inf'y.*
WM. KELLY, *Capt. 1st Cav., Oregon Vols.*
LINDSAY APPLEGATE.
WM. C. MCKAY, M. D., *Act'g Interpreter.*
ALBERT APPLEGATE, *2d Lieut, 1st Ogn. Inf., comdg. escort.*
F. B. CHASE.

Ratification. And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
July 5, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made and concluded at Sprague River Valley, on the twelfth day of August, in the year one thousand eight hundred and sixty-five, by J. W. Perit Huntington, superintendent of Indian affairs in Oregon, on the part of the United States, and the chiefs and headmen of the Woll-pah-pe tribe of Snake Indians, acting in behalf of said tribe.

Attest:

J. W. FORNEY, *Secretary.*
By W. J. MCDONALD, *Chief Clerk.*

Proclaimed. Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty.

In testimony whereof, I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this tenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, [SEAL.] and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Great and Little Osage Indians. Concluded, September 29, 1865; Ratification advised, with Amendments, June 26, 1866; Amendments accepted September 21, 1866; Proclaimed January 21, 1867.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: Sept. 29, 1865.

WHEREAS a Treaty was made and concluded at Canville Trading Post, Osage nation, in the State of Kansas, on the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and sixty-five, by and between D. N. Cooley and Elijah Sells, Commissioners, on the part of the United States, and White Hair, Little Bear, (Me-tso-shin-ca,) and other chiefs of the tribe of Great and Little Osage Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:— Preamble.

ARTICLES OF TREATY and Convention, made and concluded at Canville Trading Post, Osage nation, within the boundary of the State of Kansas, on the twenty-ninth day of September, eighteen hundred and sixty-five, by and between D. N. Cooley, Commissioner of Indian affairs, and Elijah Sells, superintendent of Indian affairs for the southern superintendency, Commissioners on the part of the United States, and the chiefs of the tribe of Great and Little Osage Indians, the said chiefs being duly authorized to negotiate and treat by said tribes. Contracting parties.

ARTICLE I. The tribe of the Great and Little Osage Indians, having now more lands than are necessary for their occupation, and all payments from the government to them under former treaties having ceased, leaving them greatly impoverished, and being desirous of improving their condition by disposing of their surplus lands, do hereby grant and sell to the United States the lands contained within the following boundaries, that is to say: beginning at the southeast corner of their present reservation, and running thence north with the eastern boundary thereof fifty miles to the northeast corner; thence west with the northern line thirty miles; thence south fifty miles, to the southern boundary of said reservation; and thence east with said southern boundary to the place of beginning: *Provided*, That the western boundary of said land herein ceded shall not extend further westward than upon a line commencing at a point on the southern boundary of said Osage country one mile east of the place where the Verdigris river crosses the southern boundary of the State of Kansas. And, in consideration of the grant and sale to them of the above-described lands, the United States agree to pay the sum of three hundred thousand dollars, which sum shall be placed to the credit of said tribe of Indians in the treasury of the United States, and interest thereon at the rate of five per centum per annum shall be paid to said tribes semi-annually, in money, clothing, provisions, or such articles of utility as the Secretary of the Interior may from time to time direct. Said lands shall be surveyed and sold, under the direction of the Secretary of the Interior, on the most advantageous terms, for cash, as public lands are surveyed and sold under existing laws, but no pre-emption claim or homestead settlement shall be recognized: and after reimbursing the United States the cost of said survey and sale, and the said sum of three hundred thousand dollars placed Sale of lands to the United States. Boundaries. Proviso. Payment for lands purchased and in what. Lands to be surveyed and sold. See amendment, page 692.

Proceeds.

to the credit of said Indians, the remaining proceeds of sales shall be placed in the treasury of the United States to the credit of the "civilization fund," to be used, under the direction of the Secretary of the Interior, for the education and civilization of Indian tribes residing within the limits of the United States.

Cession of other land to the United States to be held in trust.

See amendment, page 692.

ARTICLE II. The said tribe of Indians also hereby cede to the United States a tract of land twenty miles in width from north to south, off the north side of the remainder of their present reservation, and extending its entire length from east to west; which land is to be held in trust for said Indians, and to be surveyed and sold for their benefit by the Secretary of the Interior, under such rules and regulations as he may from time to time prescribe, under the direction of the commissioner of the general land office, as other lands are surveyed and sold. The proceeds of such sales, as they accrue, after deducting all expenses incident to the proper execution of the trust, shall be placed in the treasury of the United States to the credit of said tribe of Indians; and the interest thereon, at the rate of five per centum per annum, shall be expended annually for building houses, purchasing agricultural implements and stock animals, and for the employment of a physician and mechanics, and for providing such other necessary aid as will enable said Indians to commence agricultural pursuits under favorable circumstances: *Provided*, That twenty-five per centum of the net proceeds arising from the sale of said trust lands, until said percentage shall amount to the sum of eighty thousand dollars, shall be placed to the credit of the school fund of said Indians; and the interest thereon, at the rate of five per centum per annum, shall be expended semi-annually for the boarding, clothing, and education of the children of said tribe.

Proceeds of sales thereof.

How to be expended.

Proviso.

School fund.

One section granted to John Schoenmaker, in trust, and with privilege, &c.

ARTICLE III. The Osage Indians, being sensible of the great benefits they have received from the Catholic mission, situate in that portion of their reservation herein granted and sold to the United States, do hereby stipulate that one section of said land, to be selected by the commissioner of Indian affairs so as to include the improvements of said mission, shall be granted in fee-simple to John Schoenmaker, in trust, for the use and benefit of the society sustaining said mission, with the privilege to said Schoenmaker, on the payment of one dollar and twenty-five cents per acre, of selecting and purchasing two sections of land adjoining the section above granted; the said selection to be held in trust for said society, and to be selected in legal subdivisions of surveys, and subject to the approval of the Secretary of the Interior.

Certain loyal persons, heads of families, &c. may buy a quarter section each, at, &c.

See amendment, page 692.

ARTICLE IV. All loyal persons, being heads of families and citizens of the United States, or members of any tribe at peace with the United States, having made settlements and improvements as provided by the pre-emption laws of the United States, and now residing on the lands provided to be sold by the United States, in trust for said tribe, as well as [upon] the said lands herein granted and sold to the United States, shall have the privilege, at any time within one year after the ratification of this treaty, of buying a quarter section each, at one dollar and twenty five cents per acre; such quarter section to be selected according to the legal subdivision of surveys, and to include, as far as practicable, the improvements of the settler.

James N. Coffey and A. B. Canville to be paid their claims.

ARTICLE V. The Osages being desirous of paying their just debts to James N. Coffey and A. B. Canville, for advances in provisions, clothing, and other necessaries of life, hereby agree that the superintendent of Indian affairs for the southern superintendency and the agent of the tribe shall examine all claims against said tribe, and submit the same to the tribe for approval or disapproval, and report the same to the Secretary of the Interior, with the proofs in each case, for his concurrence or rejection; and the Secretary may issue to the claimants scrip for the claims thus allowed, which shall be receivable as cash in payment for any of

the lands sold in trust for said tribe: *Provided*, The aggregate amount thus allowed by the Secretary of the Interior shall not exceed five thousand dollars. Proviso.

ARTICLE VI. In consideration of the long and faithful services rendered by Charles Mograin, one of the principal chiefs of the Great Osages, to the people, and in consideration of improvements made and owned by him on the land by this treaty sold to the United States, and in lieu of the provision made in article fourteen for the half-breed Indians, the heirs of the said Charles Mograin, dec[ease]d, may select one section of land, including his improvements, from the north half of said land, subject to the approval of the Secretary of the Interior, and upon his approval of such selection it shall be patented to the heirs of the said Mograin, dec[ease]d, in fee-simple. Heirs of Charles Mograin may select a section of land, &c.

ARTICLE VII. It is agreed between the parties hereto that the sum of five hundred dollars shall be set apart each year from the moneys of said tribe and paid by the agent to the chiefs. $500 to be paid the chiefs annually.

ARTICLE VIII. The Osage Indians being anxious that a school should be established in their new home, at their request it is agreed and provided that John Schoenmaker may select one section of land within their diminished reservation, and upon the approval of such selection by the Secretary of the Interior, such section of land shall be set apart to the said Schoenmaker and his successors, upon condition that the same shall be used, improved, and occupied for the support and education of the children of said Indians during the occupancy of said reservation by said tribe: *Provided*, That said lands shall not be patented, and upon the discontinuance of said school shall revert to said tribe and to the United States as other Indian lands. One section of land to be selected, &c. for purposes of education. Proviso.

ARTICLE IX. It is further agreed that, in consideration of the services of Darius Rogers to the Osage Indians, a patent shall be issued to him for one hundred and sixty acres of land, to include his mill and improvements, on paying one dollar and twenty-five cents per acre; and said Rogers shall also have the privilege of purchasing, at the rate of one dollar and twenty-five cents, one quarter section of land adjoining the tract above mentioned, which shall be patented to him in like manner; said lands to be selected subject to the approval of the Secretary of the Interior. Patent to issue to Darius Rogers for 160 acres, and he may purchase other lands, at, &c. See amendment, page 692.

ARTICLE X. The Osages acknowledge their dependence on the government of the United States, and invoke its protection and care; they desire peace, and promise to abstain from war, and commit no depredations on either citizens or Indians; and they further agree to use their best efforts to suppress the introduction and use of ardent spirits in their country. Dependence on the United States acknowledged.

ARTICLE XI. It is agreed that all roads and highways laid out by the State or general government shall have right of way through the lands herein reserved, on the same terms as are provided by law when made through lands of citizens of the United States; and railroad companies, when the lines of their roads necessarily pass through the lands of said Indians, shall have right of way upon the payment of fair compensation therefor. Right of way through reservations for highways and railroads. See amendment, page 692.

ARTICLE XII. Within six months after the ratification of this treaty the Osage Indians shall remove from the lands sold and ceded in trust, and settle upon their diminished reservation. Indians to remove from ceded lands, &c.

ARTICLE XIII. The Osage Indians having no annuities from which it is possible for them to pay any of the expenses of carrying this treaty into effect, it is agreed that the United States shall appropriate twenty thousand dollars, or so much thereof as may be necessary, for the purpose of defraying the expense of survey and sale of the lands hereby ceded in trust, which amount so expended shall be reimbursed to the treasury of the United States from the proceeds of the first sales of said lands. United States to advance expenses of survey and sale; to be reimbursed.

ARTICLE XIV. The half-breeds of the Osage tribe of Indians, not to exceed twenty-five in number, who have improvements on the north half of the lands sold to the United States, shall have a patent issued to them. Patents to issue to half-breeds for 80

acres, including their improvements.
Heirs of Joseph Swiss.

in fee-simple, for eighty acres each, to include, as far as practicable, their improvements, said half-breeds to be designated by the chiefs and headmen of the tribe; and the heirs of Joseph Swiss, a half-breed, and a former interpreter of said tribe, shall, in lieu of the above provision, receive a title, in fee-simple, to a half-section of land, including his house and improvements, if practicable, and also to a half-section of the trust land; all of said lands to be selected by the parties, subject to the approval of the Secretary of the Interior.

Osages may unite with other Indians, and receive portion of annuities.

ARTICLE XV. It is also agreed by the United States that said Osage Indians may unite with any tribe of Indians at peace with the United States, residing in said Indian territory, and thence afterwards receive an equitable proportion, according to their numbers, of all moneys, annuities, or property payable by the United States to said Indian tribe with which the agreement may be made; and in turn granting to said Indians, in proportion to their numbers, an equitable proportion of all moneys, annuities, and property payable by the United States to said Osages.

If Indians remove from Kansas, their diminished reservation to be sold, and proceeds how applied.

ARTICLE XVI. It is also agreed by said contracting parties, that if said Indians should agree to remove from the State of Kansas, and settle on lands to be provided for them by the United States in the Indian territory on such terms as may be agreed on between the United States and the Indian tribes now residing in said territory or any of them, then the diminished reservation shall be disposed of by the United States in the same manner and for the same purposes as hereinbefore provided in relation to said trust lands, except that fifty per cent. of the proceeds of the sale of said diminished reserve may be used by the United States in the purchase of lands for a suitable home for said Indians in said Indian territory.

Rejection of some articles not to affect others, &c.

ARTICLE XVII. Should the Senate reject or amend any of the above articles, such rejection or amendment shall not affect the other provisions of this treaty, but the same shall go into effect when ratified by the Senate and approved by the President.

NOTE.—The interlineations and erasures on the seventh and tenth pages were made before signing.

Signatures.

D. N. COOLEY,
Com'r of Indian Affairs.
ELIJAH SELLS,
Sup't Ind. Aff. South'n Sup'cy, and Commissioner.
ME-TSO-SHIN-CA, (Little Bear.) his x mark.
Chief Little Osages.
NO-PA-WAH-LA, his x mark.
2d Chief to Little Bear.
PA-THA-HUN-KAH, his x mark.
Little Chief L. B. Band.
WHITE HAIR, his x mark.
Principal Chief Osage Nation.
TA-WAH-SHE-HE. his x mark.
Chief Big Hill Band.
BEAVER, his x mark.
Second Chief White Hair's Band.
CLERMONT, his x mark.
Chief Clermont Band.
O-PO-TON-KOH, his x mark.
WA-SHE-PE-SHE, his x mark.
Little Chief W. H. Band.

Witnesses:
MA-SHO-HUN-CA, his x mark.
Counsellor Little Bear Band.
WA-SHA-PA-WA-TA-NE-CA, his x mark.
WA-DU-HA-KA, his x mark.

SHIN-KA-WA-TA-NE-KAH, his x mark.
SHE-WEH-TEH, his x mark.
GRA-MA, his x mark.
HU-LA-WAH-SHO-SHA, his x mark.
NA-TA-TON-CA-WA-KI, his x mark.
NUM-PA-WAH-CU, his x mark.
HA-SKA-MON-NE, his x mark.

Attest:

G. C. SNOW, *U. S. Neosho Ind. Agent.*
MILTON W. REYNOLDS, *Acting Clerk.*
THEODORE C. WILSON, *Phonographic Reporter.*
ALEXANDER BEYETT, *Interpreter Osage Nation.*

Witnesses, Little Bear's Band:

KA-WAH-HO-TZA, his x mark.
O-KE-PA-HOLA, his x mark.
ME-HE-THA, his x mark.

White Hair's band of witnesses:

SHIN-KA-WA-SHA, councillor of White Hair's, his x mark.
WA-SHA-WA, his x mark.
KA-HE-KA-STZA-JEH, his x mark.
KA-HE-KA-WA-SHIN-PE-SHE, his x mark.
SAW-PE-KA-LA, his x mark.
WA-TZA-SHIM-KA, his x mark.
WA-NO-PA-SHE, his x mark.
SHIN-BE-KA-SHI, his x mark.
NE-KOO-LE-BLO, his x mark.
O-KE-PA-KA-LOH, his x mark.
KE-NU-IN-CA, his x mark.
PA-SU-MO-NA, his x mark.

We the undersigned, chiefs and headmen of the Clermont and Black Dog Band of the Great Osage nation, in council at Fort Smith, Ark., have had the foregoing treaty read and explained in full by our interpreter, L. P. Chouteau, and fully approve the provisions of said treaty made by our brothers the Osages, and by this signing make it our act and deed.

CLERMONT, chf. of Clermont Band, his x mark.
PALLEY, 2d chf. of Clermont Band, his x mark.
HAH-TI-IN-GAH, (Dry Feather,) counsellor, his x mark.
KAH-HA-CHE-LA-TON, brave, his x mark.
DO-TAH-CAH-SHE, brave, his x mark.
BLACK DOG, chf. Black Dog Band, his x mark.
WILLIAM PENN, 2d chf. Black Dog Band, his x mark.
BROKE ARM, counsellor, his x mark.
NE-KAH-KE-PON-NAH, brave, his x mark.
NE-KAH-GAH-HEE, brave, his x mark.

Witnesses:

WAH-SKON-MON-NEY, his x mark.
WAH-KON-CHE-LA, his x mark.
WAH-SHA-SHA-WAH-TI-IN-GAH. his x mark.
PAH-CHA-HUN-GAH, his x mark.
LONG BOW, his x mark.
WAH-SHE-WAH-LA, his x mark.
WAR EAGLE, his x mark.
PON-HON-GLE-GAH-TON, his x mark.
SUN DOWN, his x mark.
TON-WON-GE-HI, his x mark.
WAH-CHA-O-NAU-SHE, his x mark.

I certify that the foregoing treaty was fully explained by me, and that the above signatures, the first as chiefs and headmen and the others as witness[es,] signed the same as their free act and deed.

L. P. CHOUTEAU, *Interpreter.*

Ratification advised with amendments.

And whereas, the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-sixth day of June, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same by a resolution with amendments in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
June 26, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the Articles of Treaty and Convention made and concluded at Canville Trading Post, Osage nation, within the boundary of the State of Kansas, on the twenty-ninth day of September, eighteen hundred and sixty-five, by and between the Commissioners on the part of the United States, and the Chief of the tribes of Great and Little Osage Indians, the said chief being duly authorized to negotiate and treat by said tribes, with the following

Amendments.

AMENDMENTS:

Ante, p. 687. 1st. ARTICLE I. line 38, after the word "laws" insert the following: "including any act granting lands to the State of Kansas in aid of the construction of a railroad through said lands."

Ante, p. 688. 2d. ARTICLE II. strike out all after the word "benefit," in line 8, to and including the word "sold," in line 12, and insert in lieu thereof the following: "under the direction of the commissioner of the general land office, at a price not less than one dollar and twenty-five cents per acre as other lands are surveyed and sold, under such rules and regulations as the Secretary of the Interior shall from time to time prescribe."

Ante, p. 688. 3d. ARTICLE IV. line 8, after the word "as," where it occurs the second time, insert: "upon."

Ante, p. 689. 4th. ARTICLE IX. line 9, after the word "cents" insert: "per acre."

Ante, p. 689. 5th. ARTICLE XI. line 3, after the words "through the" insert: "remaining."

6th. Same article, line 4, strike out "herein reserved," and insert in lieu thereof: "of said Indians."

Attest: J. W. FORNEY, *Secretary.*

Amendments assented to.

And whereas the foregoing amendments having been fully interpreted and explained to White Hair, Little Beaver, Clermont, Ta-wah-she-he, Met-so-shin-ca, (Little Bear,) No-paw-ahla, and Black Dog, chiefs of the said tribe of Great and Little Osage Indians, they did, on the twenty-first day of September, one thousand eight hundred and sixty-six, give their free and voluntary assent to the same, in the words and figures following, to wit:—

Whereas a certain Treaty was made by and between Commissioners on the part of the United States and the chiefs representing the Great and Little Osage Indians, on the 29th of September, 1865, to the ratification of which Treaty the Senate of the United States has advised and consented, with the following amendments, viz:—

AMENDMENTS.

1st. ARTICLE I. line 38, after the word "laws" insert the following: "including any act granting lands to the State of Kansas, in aid of the construction of a railroad through said lands."

2d. ARTICLE II. strike out all after the word "benefit," in line 8, to and including the word "sold," in line 12, and insert in lieu thereof the following: "under the direction of the commissioner of the general land office, at a price not less than one dollar and twenty-five cents per acre, as other lands are surveyed and sold under such rules and regulations as the Secretary of the Interior shall from time to time prescribe."

3d. ARTICLE IV. line 8, after the word "as," where it occurs the second time, insert "upon."

4th. ARTICLE IX. line 9, after the word "cents," insert "per acre."

5th. ARTICLE XI. line 3, after the words "through the," insert "remaining."

6th. ARTICLE XI. line 4, strike out "herein reserved," and insert in lieu thereof "of said Indians."

Now, therefore, we, the undersigned, chiefs and headmen of the said Great and Little Osage Indians, having heard the above amendments read, and fully explained to us, on this twenty-first day of September, one thousand eight hundred and sixty-six, do hereby accept and consent to the aforesaid amendments.

WHITE HAIR, his x mark.
Principal Chief Osage Nation.
LITTLE BEAVER, his x mark.
2d Chief White Hair's Band.
CLERMONT, his x mark.
Chief Clermont's Band.
TA-WAH-SHE-HE, his x mark.
Chief Big Hill Band.
MET-SO-SHIN-CA, (Little Bear,) his x mark.
Chief Little Osages.
NO-PAW-AHLA, his x mark.
2d Chief Little Osages.
BLACK DOG, his x mark.
Chief Black Dog's Band.

Attest:

G. C. SNOW, U. S. *Neosho Ind. Agent.*
JOSEPH PAW-NE-NO-PASH, *E. Indian.*
ALEXANDER BEYETT, *Interpreter.*
MOSES NEAL.
E. C. AMSDEN.
GEORGE W. DOUGLASS.
FRED. TIBBETTS.
JOHN BRINKLEY.

Ratification.

Now, therefore, be it known, that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-sixth of June, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said Treaty with the amendments as aforesaid.

In testimony whereof I have hereto signed my name, and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-first day of January, in the year of our Lord one thousand eight hundred and sixty-seven, [SEAL.] and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Minneconjon Band of Dakota or Sioux Indians; Concluded October 10, 1865; *Ratification advised, with Amendment, March* 5, 1866; *Proclaimed March* 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: Oct. 10, 1865.

Preamble. WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the tenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Hah-wah-zee-dan, (The Lone Horn,) Tah-ke-chah-hoosh-tay, (The Lame Deer,) and other chiefs and headmen of the Minneconjon band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties. ARTICLES OF A TREATY made and concluded at Fort Sully in the Territory of Dakota, by and between Newton Edmunds, governor and ex officio superintendent of Indian affairs of Dakota Territory; Edward B. Taylor, superintendent of Indian affairs for the northern superintendency; Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Minneconjon band of Dakota or Sioux Indians.

Jurisdiction and authority of the United States acknowledged, &c. ARTICLE I. The Minneconjon band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if requisite, physical force, to prevent other bands of the Dakota or Sioux, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Persons and property of other tribes not to be first attacked. ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Minneconjon band of Dakotas or Sioux, represented in council, anxious to respect the wishes of the government, hereby agree and bind themselves to discontinue for the future all attacks upon the persons or property of other tribes, unless first assailed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Controversies between the tribes to be submitted to the President for arbitrament, &c. ARTICLE III. All controversies or differences arising between the Minneconjon band of Dakotas or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted to the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

Indians to withdraw from overland routes.

Amendment. *Post.* p. 697.

Payment to the Indians. Proviso.

ARTICLE IV. The said band represented in council shall withdraw from the routes overland already established, or hereafter to be established through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay the said band the sum of ten thousand dollars annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band, so represented in council, shall faithfully conform to the requirements of this treaty.

Individual Indians locating on lands to be protected.

ARTICLE V. Should any individual, or individuals, or portion of the band of the Minneconjon band of Dakotas or Sioux, represented in council, desire hereafter to locate permanently upon any part of the lands claimed by the said band, for the purpose [of] agricultural or other pursuits, it is hereby agreed by the parties to this treaty that such individual or individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians.

Amendments to be binding.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Minneconjon band of Dakota or Sioux, have hereunto set their hands, this tenth day of October, one thousand eight hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the said chiefs and headmen.

NEWTON EDMUNDS.
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-Gen'l*,
H. H. SIBLEY, *Brigadier-General.*
HENRY W. REED,
ORRIN GUERNSEY,
Commissioners on the part of the United States.

HA-WAH-ZEE-DAN, The Lone Horn, his x mark, 1*st chief.*
TAH-KE-CHAH-HOOSH-TAY, The Lame Deer, his x mark, 1*st chief.*
KEE-YAM-E-I-A, One that flies when going, his mark, *chief.*
HA-IL-O-KAH-CHAH-SKAH, White Young Bull, his x mark, *chief.*
KE-YAR-CUM-PEE, Give him Room, his x mark, *chief.*
HA-HAR-SKAH-KAH, Long Horn, his x mark, *chief.*
HE-HAN-WE-CHAK-CHAH, The Old Owl, his x mark, *chief*
WAH-CHEE-HA-SKAH, White Feather, his x mark, *chief.*
TAH-TON-KAH-WAK-KANTO, The High Bull, his x mark, *soldier.*
MAH-TO-CHAT-KAH, The Left-handed Bear, his x mark, *soldier.*
CHAN-WAH-PA, The Tree in Leaf, his x mark, *soldier.*
TO-KALLA-DOO-TAH, The Red Fox, his x mark, *soldier.*
CHA-TAN-SAPPAH, The Black Hawk, his x mark, *soldier.*
MUCK-A-PEE-AH-TO, The Blue Cloud, his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained in our presence:

A. W. HUBBARD, *M. C. 6th dist. Iowa.*
S. S. CURTIS, *Maj. 2d Colorado Cav. Bvt. Lt. Col. U. S. V.*

CHAS. C. G. THORNTON, *Lt. Col. 4th U. S. Vols.*
E. F. RUTH, *Sec'y of Commission.*
R. R. HITT, *Reporter of Com'n.*
THOS. D. MAURICE, *Late Maj. 1st Mo. Lt. Art'y.*
W. MOTT, *Capt. and C. S.*
ZEPHIER RENCONTRE, his x mark, *Interpreter.*
CHARLES DEGRES, his x mark, "

The following chiefs came into council on the 20th Oct. and desired to sign the treaty. They are represented as always friendly to the whites, and have, therefore, been away from most of the tribe.

HAH-SAH-NE-NA-MAZA, One Iron Horse, his x mark.
TO-KIO-WI-CHACK-A-TA, The One that Kills the First on Hand, his x mark.

ATTEST:
S. S. CURTIS, *Bvt. Lt. Col. U. S. V.*
HEZ. L. HOSMER, *Chief Justice of Montana Territory.*
CHARLES DEGRES, his x mark.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5th, 1866.

Ratification with amendment.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States, by their Commissioners, and the chiefs and headmen of the Minneconjon band of *Dacotah* [Dakota] or Sioux Indians, made and concluded at Fort Sully, in the Territory of Dakota, with the following

AMENDMENT:

See *Ante*, p. 696.

Article IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon."

Attest: J. W. FORNEY, *Secretary.*

Proclaimed.

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band: —

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

In testimony whereof, I have signed the same with my hand and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this seventeenth day of March, in the year of our Lord one thousand eight hundred and
[L. S.] 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.*

Treaty between the United States of America and the Lower Brulé Band of Dakota or Sioux Indians; Concluded October 14, 1865; *Ratification advised, with Amendment, March* 5, 1866; *Proclaimed March* 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: Oct. 14, 1865.

Preamble. Whereas a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the fourteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Muz-zah-wy-ah-tay, (The Iron Nation,) Tah-ton-kah-wak-kon, (Medicine Ball,) and other chiefs and headmen of the Lower Brulé band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties. ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Lower Brulé band of Dakota or Sioux Indians.

Jurisdiction and authority of the United States acknowledged. ARTICLE I. The Lower Brulé band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota or Sioux, or other adjacent tribes, from making hostile demonstrations against the government of the United States or its people.

Persons and property of other tribes not to be first attacked. ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Lower Brulé band of Dakotas or Sioux, represented in council, anxious to respect the wishes of the government, hereby agree and bind themselves to discontinue for the future all attacks upon the persons or property of other tribes, unless first assailed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Controversies between the tribes to be submitted to the President for arbitrament, &c. ARTICLE III. All controversies or differences arising between the Lower Brulé band of Dakotas or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as

may be designated by him, and the decision or award faithfully observed by the said band represented in council.

Indians to withdraw from overland routes. Amendment. *Post*, p. 702.

ARTICLE IV. The said band represented in council shall withdraw from the routes overland already established, or hereafter to be established through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said band the sum of six thousand dollars annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band so represented in council shall faithfully conform to the requirements of this treaty.

Payment.

Proviso.

Individual Indians locating on lands to be protected.

ARTICLE V. Should any individual, or individuals, or portion of the Lower Brulé band of Dakotas, or Sioux, represented in council, desire hereafter to locate permanently upon any part of the lands claimed by the said band, for the purpose of agricultural or other pursuits, it is hereby agreed by the parties to this treaty that such individual or individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians.

Reservation for Lower Brulés.

ARTICLE VI. It is hereby agreed upon the part of the government of the United States, that the said band of Lower Brulés shall locate on a permanent reservation at or near the mouth of the White river, to include

Boundaries.

Fort Lookout, twenty miles in a straight line along the Missouri river, and ten miles in depth; and that upon the actual occupation of not less than fifty lodges or families of said reservation, and their engaging permanently in agricultural and other kindred pursuits, the government of

Payments for agricultural, &c. purposes.

the United States agree to furnish at its own cost the sum of twenty-five dollars for each and every lodge or family so engaged, as a common fund, to be expended in stock, agricultural and other implements and general improvements as shall be directed by the Secretary of the Interior; the said sum to be furnished annually for five years. It being

Stock, &c., to be the property of the United States.

understood that the said stock, agricultural and other implements shall be and remain the property of the United States, to be used and employed for the exclusive benefit of the lodges or families so located, and in no case to be sold or alienated by the said band or any member thereof; and the United States further engage to employ at its own cost

Blacksmith and farmer.

a blacksmith and farmer for the benefit of the said lodges or families.

Roads.

The United States reserve the right to construct a road or roads through the said reservation.

Whites not to go, &c., thereon.

No white person, other than officers, agents or employés of the United States, shall be permitted to go on or remain on the said reservation, unless previously admitted as a member of the said band according to their usages.

Schools.

Whenever the Secretary of the Interior may so direct, schools for the instruction of the said band may be opened on the said reservation.

Two Kettles band may be located adjoining to the Brulés.

ARTICLE VII. The undersigned chiefs of the Brulés, hereby further agree that should the Two Kettles band of the Dakota or Sioux Indians be located adjoining them, they will cheerfully allow them to do so, and also agree that the employés secured to the Brulés may be used also for the joint benefit of the said Two Kettles, at the discretion of the government.

Amendments to be binding.

ARTICLE VIII. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Lower Brulé band of Dakota or Sioux, have hereunto set their hands, this fourteenth day of October, one thousand eight hundred and sixty-five, after the contents

had previously been read, interpreted, and explained to the said chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Major-General*,
H. H. SIBLEY, *Brigadier-General*,
HENRY W. REED,
ORRIN GUERNSEY,
Commissioners on the part of the United States.

Chiefs.

MUZ-ZAH-WY-AH-TAY, The Iron Nation, his x mark.
TAH-TON-KAH-WAK-KON, Medicine Ball, his x mark.
PTA-SON-WE-CHAK-TAY, The One who Killed the White Buffalo Cow, his x mark.
SHE-O-TCHE-KAH, Little Pheasant, his x mark.
PTA-SAN-MAN-NEE, White Buffalo Cow that walks, his x mark.
CHON-TAY-O-KIT-E-KAH, The Brave Heart, his x mark.
TAH-O-PEE, The Wounded Man, his x mark.
WAG-AH-MO-AH-WIN, The Gourd Ear Rings, his x mark.
E-CHAP-SIN-TA-MUZ-ZAH, The Iron Whip, his x mark.

Chief Soldiers.

ZE-TE-KAH-DAN-SAP-PAH, The Blackbird, his x mark
WAH-HAH-CHUNKI-E-UN-KA, The Shield that Runs, his x mark.
MUCK-A-PEE-E-CHASH-NAH, The Cloud that Rattles, his x mark.
IS-TO-O-PEE, The Wounded Arm, his x mark.
MIN-DO-TON-KAH-CHE-KAH, The Little Partisan, his x mark.
WAH-MIN-DEE-SHON-TON-KAH, The War Eagle with Large Feathers, his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained in our presence: —

A. W. HUBBARD, *M. C. 6th dist. Iowa.*
S. S. CURTIS, *Maj. 2d Colorado Cav., Bvt. Lt. Col.*
W. S. WOODS, *Surgeon U. S. Vols.*
E. F. RUTH, *Sec'y to Commission.*
R. R. HITT, *Rep'r of Com'n.*
ZEPHIER RECONTRE, his x mark, *Interpreter.*
CHARLES DEGRE, his x mark, "

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States of America, by their Commissioners, and the chiefs and

Ratified with amendment.

headmen of the Lower Brulé band of *Dacotah* [Dakota] or Sioux Indians, made and concluded at Fort Sully, in the Territory of Dakota, with the following

AMENDMENT:

See *Ante*, p. 700. Article IV., lines 3, 4, and 5, strike out the following words, viz: "and of their no[n]-interference with the persons and property of citizens of the United States travelling thereon."

Attest: J. W. FORNEY, *Secretary.*

And whereas article eighth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band: —

Proclaimed. Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

In testimony whereof, I have signed the same with my hand and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this seventeenth day of March, in the year of our Lord one thousand eight hundred and [L. S.] 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.*

Treaty between the United States of America and the Cheyenne and Arrapahoe Tribes of Indians; Concluded October 14, 1865; *Ratification advised, with Amendments, May* 22, 1866; *Amendments accepted November* 10 *and* 19, 1866; *Proclaimed February* 2, 1867.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: Oct. 14, 1865.

Preamble.

WHEREAS a Treaty was made and concluded at the camp on the Little Arkansas river, in the State of Kansas, on the fourteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between John B. Sanborn, William S. Harney, Thomas Murphy, Kit Carson, William W. Bent, Jesse H. Leavenworth, and James Steele, Commissioners, on the part of the United States, and Moke-ta-ve-to, (Black Kettle,) Oh-to-ah-ne-so-to-wheo, (Seven Bulls,) Oh-has-tee, (Little Raven,) Oh-hah-mah-hah, (Storm,) and other chiefs and headmen of the Cheyenne and Arrapahoe tribes of Indians, on the part of said Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties.

ARTICLES OF A TREATY made and concluded at the camp on the Little Arkansas river, in the State of Kansas, on the fourteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between John B. Sanborn, William S. Harney, Thomas Murphy, Kit Carson, William W. Bent, Jesse H. Leavenworth, and James Steele, Commissioners on the part of the United States, and the undersigned, chiefs and headmen of and representing the confederated tribes of Arrapahoe and Cheyenne Indians of the Upper Arkansas river, they being duly authorized by their respective tribes to act in the premises.

Perpetual peace.

ARTICLE I. It is agreed by the parties to this treaty, that hereafter perpetual peace shall be maintained between the people and government of the United States and the Indians parties hereto, and that the Indians parties hereto shall forever remain at peace with each other, and with all other Indians who sustain friendly relations with the government of the United States. For the purpose of enforcing the provisions of this article, it is agreed that in case hostile acts or depredations are committed by the people of the United States, or by Indians on friendly terms with the United States, against the tribe or tribes, or the individual members of the tribe or tribes, who are parties to this treaty, such hostile acts or depredations shall not be redressed by a resort to arms, but the party or parties aggrieved shall submit their complaints through their agent to the President of the United States, and thereupon an impartial arbitration shall be had, under his direction, and the award thus made shall be binding on all parties interested, and the government of the United States will in good faith enforce the same. And the Indians parties hereto, on their part, agree, in case crimes or other violations of law shall be committed by any person or persons, members of their tribe, such person or persons shall, upon complaint being made in writing to their agent, superintendent of Indian affairs, or to other proper authority, by the party injured, and verified by affidavit, be delivered to the person

Hostile acts to be settled by arbitration.

Members of tribes committing depredations to be surrendered.

duly authorized to take such person or persons into custody, to the end that such person or persons may be punished according to the laws of the United States.

Reservation for Indians who are parties hereto.

Boundaries.

ARTICLE II. The United States hereby agree that the district of country embraced within the following limits, or such portion of the same as may hereafter be designated by the President of the United States for that purpose, viz: commencing at the mouth of Red creek or Red fork of the Arkansas river; thence up said creek or fork to its source; thence westwardly to a point on the Cimarone river, opposite the mouth of Buffalo creek; thence due north to the Arkansas river; thence down the same to the beginning, shall be, and is hereby, set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty, and of such other friendly tribes as they may from time to time agree to admit among them, and that no white person, except officers, agents, and employees of the government, shall go upon or settle within the country embraced within said limits, unless formally admitted and incorporated into some one of the tribes lawfully residing there, according to its laws and usages: *Provided, however*, That said Indians shall not be required to settle upon said reservation until such time as the United States shall have extinguished all claims of title thereto on the part of other Indians, so that the Indians parties hereto may live thereon at peace with all other tribes.

No whites, except, &c. to settle thereon, unless, &c.

Indians not required to settle thereon, until, &c.;

See amendments. *Post*, pp. 708-710.

to remove thereto and not leave, unless, &c.;

The Indians parties hereto, on their part, expressly agree to remove to and accept as their permanent home the country embraced within said limits whenever directed so to do by the President of the United States, in accordance with the provisions of this treaty, and that they will not go from said country for hunting or other purposes without the consent in writing of their agent or other authorized person, such written consent in all cases specifying the purpose for which such leave is granted, and shall be borne with them upon their excursions as evidence that they are rightfully away from their reservation, and shall be respected by all officers, employees, and citizens of the United States as their sufficient safeguard and protection against injury or damage in person or property by any and all persons whomsoever.

to refrain from depredations;

not to encamp within ten miles of, &c.

It is further agreed by the Indians parties hereto that when absent from their reservation they will refrain from the commission of any depredations or injuries to the person or property of all persons sustaining friendly relations with the government of the United States; that they will not, while so absent, encamp by day or at night within ten miles of any of the main travelled routes or roads through the country to which they go, or of the military posts, towns, or villages therein, without the consent of the commanders of such military posts, or of the civil authorities of such towns or villages; and that henceforth they will, and do hereby, relinquish all claims or rights in and to any portion of the United States or Territories, except such as is embraced within the limits aforesaid, and more especially their claims and rights in and to the country bounded as follows, viz: beginning at the junction of the north and south forks of the Platte river; thence up the north fork to the top of the principal range of the Rocky Mountains, or to the Red Buttes; thence southwardly along the summit of the Rocky Mountains to the headwaters of the Arkansas river; thence down the Arkansas river to the Cimarone crossing of the same; thence to the place of beginning; which country they claim to have originally owned, and never to have relinquished the title thereto.

Claims to other lands relinquished, and especially to certain thus bounded.

Until removed to reservation, Indians to be where.

ARTICLE III. It is further agreed that until the Indians parties hereto have removed to the reservation provided for by the preceding article in pursuance of the stipulations thereof, said Indians shall be, and they are hereby, expressly permitted to reside upon and range at pleasure throughout the unsettled portions of that part of the country they claim

as originally theirs, which lies between the Arkansas and Platte rivers; and that they shall and will not go elsewhere, except upon the terms and conditions prescribed by the preceding article in relation to leaving the reservation thereby provided for: *Provided*, That the provisions of the preceding article in regard to encamping within ten miles of main travelled routes, military posts, towns, and villages shall be in full force as to the occupancy of the country named and permitted by the terms of this article: *Provided, further*, That they, the said Indians, shall and will at all times during such occupancy, without delay, report to the commander of the nearest military post the presence in or approach to said country of any hostile bands of Indians whatsoever.

Proviso.

Proviso.

ARTICLE IV. It is further agreed by the parties hereto that the United States may lay off and build through the reservation, provided for by Article II. of this treaty, such roads or highways as may be deemed necessary; and may also establish such military posts within the same as may be found necessary in order to preserve peace among the Indians, and in order to enforce such laws, rules, and regulations as are now, or may from time to time be, prescribed by the President and Congress of the United States for the protection of the rights of persons and property among the Indians residing upon said reservation; and further, that in time of war such other military posts as may be considered essential to the general interests of the United States may be established: *Provided, however*, That upon the building of such roads, or establishment of such military posts, the amount of injury sustained by reason thereof by the Indians inhabiting said reservation shall be ascertained under direction of the President of the United States, and thereupon such compensation shall be made to said Indians as in the judgment of the Congress of the United States may be deemed just and proper.

United States may build roads through reservation, and establish military posts.

Damages therefor to be ascertained and paid.

ARTICLE V. At the special request of the Cheyenne and Arrapahoe Indians, parties to this treaty, the United States agree to grant, by patent in fee-simple, to the following-named persons, all of whom are related to the Cheyennes or Arrapahoes by blood, to each an amount of land equal to one section of six hundred and forty acres, viz: To Mrs. Margaret Wilmarth and her children, Virginia Fitzpatrick, and Andrew Jackson Fitzpatrick; to Mrs. Mary Keith and her children, William Keith, Mary J. Keith, and Francis Keith; to Mrs. Matilda Pepperdin and her child, Miss Margaret Pepperdin; to Robert Poisal and John Poisal; to Edmund Guerrier, Rosa Guerrier, and Julia Guerrier; to William W. Bent's daughter, Mary Bent Moore, and her three children, Adia Moore, William Bent Moore, and George Moore; to William W. Bent's children, George Bent, Charles Bent, and Julia Bent; to A-ma-che, the wife of John Prowers, and her children, Mary Prowers and Susan Prowers; to the children of Ote-se-ot-see, wife of John Y. Sickles, viz: Margaret, Minnie, and John; to the children of John S. Smith, interpreter, William Gilpin Smith, and daughter Armama; to Jenny Lind Crocker, daughter of Ne-sou-hoe, or Are-you-there, wife of Lieutenant Crocker; to —— Winsor, daughter of Tow-e-nah, wife of A. T. Winsor, sutler, formerly at Ft. Lyon. Said lands to be selected under the direction of the Secretary of the Interior, from the reservation established by the 1st article of their treaty of February 18, A. D. 1861.

Patent for 640 acres of land in fee-simple to certain persons.

ARTICLE VI. The United States being desirous to express its condemnation of, and, as far as may be, repudiate the gross and wanton outrages perpetrated against certain bands of Cheyenne and Arrapahoe Indians by Colonel J. M. Chivington, in command of United States troops, on the twenty-ninth day of November, A. D. 1864, at Sand Creek, in Colorado Territory, while the said Indians were at peace with the United States, and under its flag, whose protection they had by lawful authority been promised and induced to seek, and the government being desirous to make some suitable reparation for the injuries then done, will

See amendments. *Post*, pp. 708–710.

Grant of lands, in reparation for outrages against certain bands, to certain chiefs of bands.

See amendments. *Post*, pp 708–710.

grant three hundred any twenty acres of land by patent to each of the following-named chiefs of said bands, viz: Moke-ta-ve-to, or Black Kettle; Oh-tah-ha-ne-so-weel, or Seven Bulls; Alik-ke-home-ma, or Little Robe; Moke-tah-vo-ve-hoe, or Black White Man; and will in like manner grant to each other person of said bands made a widow, or who lost a parent upon that occasion, one hundred and sixty acres of land, the names of such persons to be ascertained under the direction of the Secretary of the Interior: *Provided*, That said grants shall be conditioned that all devises, grants, alienations, leases, and contracts relative to said lands, made or entered into during the period of fifty years from the date of such patents, shall be unlawful and void. Said lands shall be selected under the direction of the Secretary of the Interior within the limits of country hereby set apart as a reservation for the Indians parties to this treaty, and shall be free from assessment and taxation so long as they remain inalienable. The United States will also pay in United States securities, animals, goods, provisions, or such other useful articles as may, in the discretion of the Secretary of the Interior, be deemed best adapted to the respective wants and conditions of the persons named in the schedule hereto annexed, they being present and members of the bands who suffered at Sand Creek, upon the occasion aforesaid, the sums set opposite their names, respectively, as a compensation for property belonging to them, and then and there destroyed or taken from them by the United States troops aforesaid.

Conditions of grants.

Lands, how to be selected.

Further compensation for property lost.

Annuities for forty years.

ARTICLE VII. The United States agree that they will expend annually during the period of forty years, from and after the ratification of this treaty, for the benefit of the Indians who are parties hereto, and of such others as may unite with them in pursuance of the terms hereof, in such manner and for such purposes as, in the judgment of the Secretary of the Interior, for the time being, will best subserve their wants and interests as a people, the following amounts, that is to say, until such time as said Indians shall be removed to their reservation, as provided for by Article II. of this treaty, an amount which shall be equal to twenty dollars per capita for each person entitled to participate in the beneficial provisions of this treaty, and from and after the time when such removal shall have been accomplished, an amount which shall be equal to forty dollars per capita for each person entitled as aforesaid. Such proportion of the expenditure provided for by this article as may be considered expedient to distribute in the form of annuities shall be delivered to said Indians as follows, viz: one third thereof during the spring, and two thirds thereof during the autumn of each year.

Amount.

When to be delivered.

Present number of Indians.

For the purpose of determining from time to time the aggregate amount to be expended under the provisions of this article, it is agreed that the number entitled to its beneficial provisions the coming year is two thousand eight hundred, and that an accurate census of the Indians entitled shall be taken at the time of the annuity payment in the spring of each year by their agent or other person designated for that purpose by the Secretary of the Interior, which census shall be the basis on which the amount to be expended the next ensuing year shall be determined.

Other portions of tribes to be urged to join in this treaty.

ARTICLE VIII. The Indians parties to this treaty expressly covenant and agree that they will use their utmost endeavors to induce that portion of the respective tribes not now present to unite with them and accede to the provisions of this treaty, which union and accession shall be evidenced and made binding on all parties whenever such absentees shall have participated in the beneficial provisions of this treaty.

Arrears of annuities under former treaties to be paid as soon as, &c.

ARTICLE IX. It is further agreed that all arrears of annuities which have accrued or may accrue under the provisions of former treaties prior to the ratification of this treaty, shall be paid to said Indians as soon as practicable, and that upon such ratification such former treaty shall thenceforth be abrogated and of no binding force or validity.

See amendments. *Post*, pp. 708–710.

Execution.

In testimony whereof, the said Commissioners as aforesaid, and the undersigned chiefs and headmen of the confederated tribes of the Arrapahoes and Cheyennes of the Upper Arkansas, have hereunto set their hands and seals, at the place and on the day and year first hereinbefore written.

JOHN B. SANBORN, [SEAL.]
WM. S. HARNEY, [SEAL.]
THOS. MURPHY, [SEAL.]
KIT CARSON, [SEAL.]
WM. W. BENT, [SEAL.]
J. H. LEAVENWORTH, [SEAL.]
JAMES STEELE, [SEAL.]

Commissioners on the part of the United States.

MOKE-TA-VE-TO, or Black Kettle, head chief,
his x mark. [SEAL.]
OH-TO-AH-NE-SO-TO-WHEO, or Seven Bulls, chief,
his x mark. [SEAL.]
HARK-KAH-O-ME, or Little Robe, chief, his x mark. [SEAL.]
MOKE-TAH-VO-VE-HO, or Black White Man, chief,
his x mark. [SEAL.]
MUN-A-MEN-EK, or Eagle's Head, headman,
his x mark. [SEAL.]
O-TO-AH-NIS-TO, or Bull that Hears, headman,
his x mark. [SEAL.]

On the part of the Cheyennes.

OH-HAS-TEE, or Little Raven, head chief, his x mark. [SEAL.]
OH-HAH-MAH-HAH, or Storm, chief, his x mark. [SEAL.]
PAH-UF-PAH-TOP, or Big Mouth, chief, his x mark. [SEAL.]
AH-CRA-KAH-TAU-NAH, or Spotted Wolf, chief,
his x mark. [SEAL.]
AH-NAH-WAT-TAN, or Black Man, headman,
his x mark. [SEAL.]
NAH-A-NAH-CHA, or Chief in Everything, headman,
his x mark. [SEAL.]
CHI-E-NUK, or Haversack, headman, his x mark. [SEAL.]

On the part of the Arrapahoes.

Signed and sealed in the presence of—
JOHN S. SMITH, *U. S. Interpreter.*
W. R. IRWIN, } *Secretaries.*
O. T. ATWOOD, }
S. A. KINGMAN, }
D. C. MCNEIL,
E. W. WYNKOOP,
BON. H. VAN HAVRE,
J. E. BADGER,
W. W. RICH.

Ratification advised with amendments.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-second day of May, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with amendments, by a resolution in the words and figures following, to wit:—

In Executive Session, Senate of the United States,
May 22, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the Commissioners on the part of the United States, and the chiefs and headmen of and representing the confederated tribes of Ar[r]apaho[e] and Cheyenne Indians of the Upper Arkansas river, made and concluded at the camp on the Little Arkansas river, in the State of Kansas, on the 14th day of October, 1865, with the following

AMENDMENTS:

Ante, p. 704. 1st. Article II. page 3, after the word "tribes," at the end of line 21, insert the following words: "*Provided, however*, That as soon as practicable, with the assent of said tribes, the President of the United States shall designate for said tribes a reservation, no part of which shall be within the State of Kansas, and cause them as soon as practicable to remove to and settle thereon, but no such reservation shall be designated upon any reserve belonging to any other Indian tribe or tribes without their consent."

Ante, p. 705. 2d. At the end of Article V. insert the following words: "*Provided*, That said locations shall not be made upon any lands heretofore granted by the United States to any person, State, or corporation, for any purpose."

Ante, p. 705. 3d. Article VI. page 8, lines 4 and 5, strike out the words "by Colonel J. M. Chivington, in command of United States troops."

Ante, p. 706. 4th. Strike out Article IX. and insert in lieu thereof the following: "Article IX. Upon the ratification of this treaty, all former treaties are hereby abrogated."

Attest: J. W. FORNEY, *Secretary.*

And whereas the foregoing amendments having been fully explained and interpreted to the undersigned chiefs and headmen of the Arrapahoe and Cheyenne Indians, they did, on the tenth day of November, one thousand eight hundred and sixty-six, on behalf of their respective tribes, give their free and voluntary assent to said amendments, in the words and figures following, to wit: —

Whereas the Senate of the United States, in executive session, did, on the 22d day of May, A. D. 1866, advise and consent to the ratification of the treaty between the Commissioners on the part of the United States and the chiefs and headmen of and representing the confederated tribes of Ar[r]apaho[e] and Cheyenne Indians of the Upper Arkansas river, made and concluded at the camp on the Little Arkansas river, in the State of Kansas, on the 14th day of October, 1865, with the following

AMENDMENTS:

Ante, p. 704. 1st. Article II. page 3, after the word "tribes," at the end of line 21, insert the following words: "*Provided, however*, That as soon as practicable, with the assent of said tribes, the President of the United States shall designate for said tribes a reservation, no part of which shall be within the State of Kansas, and cause them as soon as practicable to remove to and settle thereon, but no such reservation shall be designated upon any reserve belonging to any other Indian tribe or tribes without their consent."

Ante, p. 705. 2d. At the end of Article V. insert the following words: "*Provided*, That said location shall not be made upon any lands heretofore granted by the United States to any person, State, or corporation, for any purpose."

Ante, p. 705. 3d. Article VI. page 8, lines 4 and 5, strike out the words "by Col. J. M. Chivington, in command of United States troops."

4th. Strike out Article IX. and insert in lieu thereof the following: "Article IX. Upon the ratification of this treaty, all former treaties are hereby abrogated." *Ante*, p. 706.

And whereas the foregoing amendments have been fully interpreted and explained to the undersigned chiefs and headmen representing the confederated tribes of the Ar[r]apahoe and Cheyenne Indians of the Upper Arkansas river, we do hereby agree to and ratify the same.

Done at Fort Zarah, Kansas, on this 10th day of November, 1866.

OH-HAS-TIE, or Little Raven, head chief.	his x mark.
OH-HAH-MAH-HAH, or Storm.	his x mark.
AH-NAH-WAT-TAN, or Black Man.	his x mark.
CHIE-E-NUK, or Haversack.	his x mark.
NAH-A-NAT-CHA, or Round Chief.	his x mark.
NAH-KIN-NE-HA-NA, or Yellow Rabbit.	his x mark.

On the part of the Ar[r]apahoes.

MOKE-TO-VE-TO, or Black Kettle, head chief,	his x mark.
HARK-KA-O-ME, or Little Robe,	his x mark.
MOKE-TAH-VO-VE-HO, or Black White Man,	his x mark.
MUN-A-MEN-EK, or Eagle Head,	his x mark.
MAK-STE-A, or Big Head,	his x mark.
NAH-A-STO-KE, or Bear Killer,	his x mark.
VOH-IS-TO, or White Buffalo,	his x mark.

On the part of the Cheyennes.

John S. Smith, *U. S. Ind. Interpreter.*
Chas. Bogy, *Special U. S. Ind. Agt.*
F. W. Olmsted, *Secretary.*
W. R. Irwin, *Special U. S. Ind. Agt.*
D. A. Butterfield.
Wm. Mathewson.
E. W. Wynkoop, *U. S. Indian Agent.*

Treaties.

And whereas by the terms of a treaty concluded at the council ground on the Little Arkansas river, in the State of Kansas, on the seventeenth day of October, one thousand eight hundred and sixty-five, between the United States and the Apache, Cheyenne, and Arrapahoe tribes of Indians, the said Apache Indians became confederated with the said Cheyenne and Arrapahoe Indians, and in article second of said treaty said Apaches are included in the several terms, stipulations, and agreements of the present treaty of the fourteenth of October, one thousand eight hundred and sixty-five, between the United States and the Cheyenne and Arrapahoe tribes of Indians; and whereas the amendments with which the Senate advised and consented to said treaty of the fourteenth of October, one thousand eight hundred and sixty-five, on the twenty-second of May, one thousand eight hundred and sixty-six, having also been fully explained and interpreted to the undersigned chiefs and headmen of the said Apache tribe of Indians, they did, on the nineteenth day of November, one thousand eight hundred and sixty-six, give their free and voluntary assent to said amendments in the words and figures following, to wit: — *Post*, p. 713.

Whereas the Senate of the United States, in executive session, did, on the twenty-second day of May, A. D. 1866, advise and consent to the ratification of the treaty between the Commissioners on the part of the United States and the chiefs and headmen of and representing the confederated tribes of Ar[r]apahoe and Cheyenne Indians of the Upper

Arkansas river, made and concluded at the camp on the Little Arkansas river, in the State of Kansas, on the 14th day of October, 1865, with the following

AMENDMENTS:

Ante, p. 704. 1st. Article II. page 3, after the word "tribes," at the end of line 21, insert the following words: "*Provided, however*, That as soon as practicable, with the assent of said tribes, the President of the United States shall designate for said tribes a reservation, no part of which shall be within the State of Kansas, and cause them as soon as practicable to remove to and settle thereon, but no such reservation shall be designated upon any reserve belonging to any other Indian tribe or tribes without their consent."

Ante, p. 705. 2d. At the end of Article V. insert the following words: "*Provided*, That said locations shall not be made upon any lands heretofore granted by the United States to any person, State, or corporation, for any purpose."

Ante, p. 705. 3d. Article VI. page 8, lines 4 and 5, strike out the words "by Col. J. M. Chivington in command of United States troops."

Ante, p. 706. 4th. Strike out Article IX. and insert in lieu thereof the following: "Article IX. Upon the ratification of this treaty, all former treaties are hereby abrogated."

Treaties. *Post*, p. 713. And whereas by the terms of a treaty concluded at the council ground on the Little Arkansas river, in the State of Kansas, on the 17th day of October, 1865, between the United States and the Apache, Cheyenne, and Ar[r]apahoe tribes of Indians, the said Apache Indians became confederated with the said Cheyenne and Ar[r]apahoe Indians; and whereas it is provided by Article II. of said treaty, that "the several terms, stipulations, and agreements to be done and performed on the part of the United States for and with the said Cheyenne and Ar[r]apahoe tribes of Indians, and by the said Cheyenne and Ar[r]apahoe tribes of Indians for and with the United States, by the provisions of said treaty of October 14, 1865, shall be done and performed by the United States for and on behalf of the said confederated tribes or bands of Cheyenne, Ar[r]apahoe, and Apache Indians, and on their part shall be done, observed and performed to, with, and for the United States, in the same manner, to the same extent, and for like objects, to all intents and purposes, as would have been the case had said treaty been originally made and executed with the said confederated tribes of Cheyenne, Ar[r]apahoe, and Apache Indians"; and whereas the Senate of the United States, in executive session, did, on the 22d day of May, 1866, advise and consent to the said treaty between the United States and the Cheyenne and Ar[r]apahoe Indians, made and concluded at the camp on the Little Arkansas river, in the State of Kansas, on the 14th day of October, 1865, with certain amendments fully hereinbefore set forth; and whereas the same have been fully interpreted and explained to the undersigned chiefs and headmen of the Apache tribe of Indians, we, the said chiefs and headmen, do hereby agree to and ratify the same.

Done at Fort Zarah, Kansas, this the 19th day of November, A. D. 1866.

MAH-VIP-PAH, or the Wolf Sleeve, chief,	his x mark.
KARN-TIN-TAH, or the Crow, chief,	his x mark.
BA-ZHE-ECH, or Iron Shirt,	his x mark.
NAHN-TAN, or the Left Hand, chief,	his x mark.
DA-ICH-I-CHE, or the One who approaches his enemy.	his x mark.

Signed in the presence of

John S. Smith, *U. S. Interpreter.*

Wm. Mathewson.

F. W. Olmsted.
Chas. Bogy, *Special U. S. Ind. Agent.*
W. R. Irwin, *Special U. S. Ind. Agent.*

Ratification.

Now, therefore, be it known that I, Andrew Johnson, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-second of May, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty of the fourteenth of October, one thousand eight hundred and sixty-five, with the amendments as aforesaid.

In testimony whereof I have hereto signed my name, and have caused the seal of the United States to be affixed.

Done at the city of Washington, this second day of February, in the year of our Lord one thousand eight hundred and sixty-
[seal.] 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.*

Treaty between the United States of America and the Apache, Cheyenne, and Arrapahoe Tribes of Indians; Concluded October 17, 1865; *Ratification advised May* 22, 1866; *Proclaimed May* 26, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, Oct. 17, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble.

WHEREAS a treaty was made and concluded at the council-ground on the Little Arkansas river, in the State of Kansas, on the seventeenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between John B. Sanborn, William S. Harney, James Steele, William W. Bent, Kit Carson, Thomas Murphy, and J. H. Leavenworth, Commissioners, on the part of the United States, and Kou-zhon-ta-co, (Poor Bear,) Ba-zhe-ech, (Iron Shirt,) and other chiefs and headmen, on the part of the Apache tribe of Indians, Moke-ta-ve-to, (Black Kettle,) Oh-to-ah-ne-so-to-wheo, (Seven Bulls,) and other chiefs and headmen, on the part of the Cheyenne tribe of Indians, and Oh-has-tee, (Little Raven,) Oh-hah-mah-hah, (Storm,) and other chiefs and headmen, on the part of the Arrapahoe tribe of Indians, all of which chiefs and headmen were duly authorized thereto by their respective tribes, which treaty is in the words and figures following, to wit: —

Contracting parties.

Whereas a treaty was made and concluded, by and between the undersigned Commissioners on the part of the United States, and the undersigned chiefs and headmen of the Cheyenne and Arrapahoe tribes of Indians, on the part of said tribes, on the fourteenth day of October, A. D. 1865, at the council-grounds on the Little Arkansas river, in the State of Kansas; and whereas the Apache Indians, who have been heretofore confederated with the Kiowa and Camanche tribes of Indians, are desirous of dissolving said confederation and uniting their fortunes with the said Cheyennes and Arrapahoes; and whereas the said last-named tribes are willing to receive among themselves on an equal footing with the members of their own tribes, the said Apache Indians; and the United States, by their said Commissioners, having given their assent thereto; it is therefore hereby agreed by and between the United States, by their said Commissioners, and the said Cheyenne, Arrapahoe, and Apache Indians, by the undersigned chiefs and headmen of said tribes respectively, as follows, viz: —

Ante, p. 703.

Cheyenne, Arrapahoe, and Apache tribes are united and recognized as confederated tribes by the United States.

ARTICLE I. The said Cheyenne, Arrapahoe, and Apache tribes henceforth shall be and they are hereby united, and the United States will hereafter recognize said tribes as the confederated bands or tribes of Cheyenne, Arrapahoe, and Apache Indians.

Stipulation of former treaty to be binding upon the parties hereto.

ARTICLE II. The several terms, stipulations and agreements to be done and performed on the part of the United States for and with the said Cheyenne and Arrapahoe tribes of Indians, and by the said Cheyenne and Arrapahoe tribes of Indians, for and with the United States, by the provisions of said treaty of October 14th, A. D. 1865, shall be done and performed by the United States for and on behalf of the said confederated tribes or bands of Cheyenne, Arrapahoe, and Apache Indians, and on

their part shall be done, observed and performed to, with and for the United States in the same manner, to the same extent, and for like objects, to all intents and purposes, as would have been the case had said treaty been originally made and executed with the said confederated tribes of Cheyenne, Arrapahoe, and Apache Indians.

Execution. In testimony whereof, the undersigned, Commissioners on the part of the United States, and the chiefs and headmen of said tribes, have hereunto set their hands and seals at the council-ground on the Little Arkansas, in the State of Kansas, this 17th day of October, A. D. 1865.

JOHN B. SANBORN, [SEAL.]
WM. S. HARNEY, [SEAL.]
JAMES STEELE, [SEAL.]
WM. W. BENT, [SEAL.]
KIT CARSON, [SEAL.]
THOS. MURPHY, [SEAL.]
J. H. LEAVENWORTH, [SEAL.]
Commissioners on the part of the United States.

KOU-ZHON-TA-CO, or Poor Bear, head chief, his x mark. [SEAL.]
BA-ZHE-ECH, or Iron Shirt, chief, his x mark. [SEAL.]
AZ-CHE-OM-A-TE-NE, or the Old Fool Man, chief, his x mark. [SEAL.]
KARN-TIN-TA, or The Crow, chief, his x mark. [SEAL.]
MAH-VIP-PAH, or The Wolf Sleeve, chief, his x mark. [SEAL.]
NAHN-TAN, or The Chief, his x mark. [SEAL.]
On the part of the Apaches.

MOKE-TA-VE-TO, or Black Kettle, head chief, his x mark. [SEAL.]
OH-TO-AH-NE-SO-TO-WHEO, or Seven Bulls, chief, his x mark. [SEAL.]
HARK-KAH-O-ME, or Little Robe, chief, his x mark. [SEAL.]
MOKE-TAH-VO-VE-HO, or Black White Man, chief, his x mark. [SEAL.]
MUN-A-MEN-EK, or Eagle's Head, headman, his x mark. [SEAL.]
O-TO-AH-NIS-TO, or Bull that Hears, headman, his x mark. [SEAL.]
On the part of the Cheyennes.

OH-HAS-TEE, or Little Raven, head chief, his x mark. [SEAL.]
OH-HAH-MAH-HAH, or Storm, chief, his x mark. [SEAL.]
PAH-UF-PAH-TOP, or Big Mouth, chief, his x mark. [SEAL.]
AH-CRA-KA-TAU-NAH, or Spotted Wolf, chief, his x mark. [SEAL.]
AH-NAH-WAT-TAU, or Black Man, headman, his x mark. [SEAL.]
NAH-A-NAH-CHA, Chief in Everything, headman, his x mark. [SEAL.]
CHI-E-NUK, or Haversack, headman, his x mark. [SEAL.]
On the part of the Arrapahoes.

Signed and sealed in presence of —

W. R. IRWIN, *Secretary.*
D. C. MCNEIL.

Ratification.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-second day of May, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
May 22, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States, by their Commissioners, and the chiefs and headmen of the Apaches and Cheyennes and Ar[r]apahoes, respectively, made and concluded at the council-ground on the Little Arkansas, in the State of Kansas, on the 17th of October, 1865.

Attest: J. W. FORNEY, *Secretary.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-second of May, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty.

In testimony whereof I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-sixth day of May, in the year of our Lord one thousand eight hundred [SEAL.] 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.*

Treaty between the United States of America and the Camanche and Kiowa Tribes of Indians; Concluded October 18, 1865; *Ratification advised, May* 22, 1866; *Proclaimed May* 26, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, Oct. 18, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble.

WHEREAS a treaty was made and concluded at the council-ground on the little Arkansas river, in the State of Kansas, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between John B. Sanborn, William S. Harney, Kit Carson, William W. Bent, James Steele, Thomas Murphy, and J. H. Leavenworth, Commissioners, on the part of the United States, and Tab-e-nan-i-kah, (Rising Sun,) Esh-e-tave-pa-rah, (Female Infant,) and other chiefs and headmen, on the part of the Camanche bands of Indians, and Queil-park, (Lone Wolf,) Wah-toh-konk, (Black Eagle,) and other chiefs and headmen, on the part of the Kiowa tribe of Indians, all of which chiefs and headmen were duly authorized thereto by their respective bands and tribes, which treaty is in the words and figures following, to wit: —

Contracting parties.

ARTICLES OF A TREATY made and concluded at the council-ground on the Little Arkansas river eight miles from the mouth of said river, in the State of Kansas, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between John B. Sanborn, William S. Harney, Thomas Murphy, Kit Carson, William W. Bent, Jesse H. Leavenworth, and James Steele, Commissioners on the part of the United States, and the undersigned chiefs and headmen of the several bands of Camanche Indians specified in connection with their signatures, and the chiefs and headmen of the Kiowa tribe of Indians, the said chiefs and headmen by the said bands and tribes being thereunto duly authorized.

Perpetual peace.

ARTICLE I. It is agreed by the parties to this treaty that hereafter perpetual peace shall be maintained between the people and government of the United States and the Indians parties hereto, and that the Indians parties hereto shall forever remain at peace with each other and with all other Indians who sustain friendly relations with the government of the United States.

Hostile acts to be settled by arbitration.

For the purpose of enforcing the provisions of this article, it is agreed that in case hostile acts or depredations are committed by the people of the United States, or by the Indians on friendly terms with the United States, against the tribe or tribes or the individual members of the tribe or tribes who are parties to this treaty, such hostile acts or depredations shall not be redressed by a resort to arms, but the party or parties aggrieved shall submit their complaints, through their agent, to the President of the United States, and thereupon an impartial arbitration shall be had under his direction, and the award thus made shall be binding on all parties interested, and the government of the United States will in good faith enforce the same.

And the Indians parties hereto, on their part, agree, in case crimes or

Members of tribe committing crimes to be surrendered.

other violations of law shall be committed by any person or persons members of their tribe, such person or persons shall, upon complaint being made in writing, to their agent, superintendent of Indian affairs, or to other proper authority, by the party injured, and verified by affidavit, be delivered to the person duly authorized to take such person or persons into custody, to the end that such person or persons may be punished according to the laws of the United States.

Reservation for Indians who are parties hereto.

ARTICLE II. The United States hereby agree that the district of country embraced within the following limits, or such portion of the same as may hereafter from time to time be designated by the President of the United States for that purpose, viz: commencing at the northeast corner of New Mexico, thence south to the southeast corner of the same; thence northeastwardly to a point on main Red river opposite the mouth of the North Fork of said river; thence down said river to the 98th degree of west longitude; thence due north on said meridian to the Cimarone river; thence up said river to a point where the same crosses the southern boundary of the State of Kansas; thence along said southern boundary of Kansas to the southwest corner of said State; thence west to the place of beginning, shall be and is hereby set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty, and of such other friendly tribes as have heretofore resided within said limits, or as they may from time to time agree to admit among them, and that no white person except officers, agents, and employés of the government shall go upon or settle within the country embraced within said limits, unless formally admitted and incorporated into some one of the tribes lawfully residing there, according to its laws and usages. The Indians parties hereto on their part expressly agree to remove to and accept as their permanent home the country embraced within said limits, whenever directed so to do by the President of the United States, in accordance with the provisions of this treaty, and that they will not go from said country for hunting or other purposes without the consent in writing of their agent or other authorized person, specifying the purpose for which such leave is granted, and such written consent in all cases shall be borne with them upon their excursions, as evidence that they are rightfully away from their reservation, and shall be respected by all officers, employés, and citizens of the United States, as their sufficient safeguard and protection against injury or damage in person or property, by any and all persons whomsoever. It is further agreed by the Indians parties hereto that when absent from their reservation, they will refrain from the commission of any depredations or injuries to the person or property of all persons sustaining friendly relations with the government of the United States; that they will not while so absent encamp, by day or night, within ten miles of any of the main travelled routes or roads through the country to which they go, or of the military posts, towns or villages therein, without the consent of the commanders of such military posts, or of the civil authorities of such towns or villages, and that henceforth they will and do hereby relinquish all claims or rights in and to any portion of the United States or territories, except such as is embraced within the limits aforesaid, and more especially their claims and rights in and to the country north of the Cimarone river and west of the eastern boundary of New Mexico.

Boundaries.
No whites, except, &c. to settle thereon, unless, &c.
Indians to remove thereto, and not leave, unless, &c.;
to refrain from depredations;
not to encamp within ten miles of, &c.
Claims to other lands relinquished.

Until removal to reservation, Indians to be where.

ARTICLE III. It is further agreed that until the Indians parties hereto have removed to the reservation provided for by the preceding article, in pursuance of the stipulations thereof, said Indians shall be and they are hereby expressly permitted to reside upon and range at pleasure throughout the unsettled portions of that part of the country they claim as originally theirs, which lies south of the Arkansas river, as well as the country embraced within the limits of the reservation provided for by the preceding article, and that they shall and will not go elsewhere, except upon the terms and conditions prescribed by the preceding article in rela-

tion to leaving said reservation: *Provided*, That the provisions of the preceding article in regard to encamping within ten miles of main travelled routes, military posts, towns and villages, shall be in full force as to the privileges granted by this article: *And provided further*, That they, the said Indians, shall and will at all times, and without delay, report to the commander of the nearest military post the presence in or approach to said country of any hostile band or bands of Indians whatever.

Proviso.

Proviso.

ARTICLE IV. It is further agreed by the parties hereto that the United States may lay off and build through the reservation, provided for by article II. of this treaty, roads or highways as may be deemed necessary, and may also establish such military posts within the same as may be found necessary, in order to preserve peace among the Indians, and in order to enforce such laws, rules, and regulations as are now or may from time to time be prescribed by the President and Congress of the United States for the protection of the rights of persons and property among the Indians residing upon said reservation, and further, that in time of war such other military posts as may be considered essential to the general interests of the United States may be established: *Provided, however*, That upon the building of such roads, or establishment of such military posts, the amount of injury sustained by reason thereof by the Indians inhabiting said reservation shall be ascertained under direction of the President of the United States, and thereupon such compensation shall be made to said Indians as, in the judgment of the Congress of the United States, may be deemed just and proper.

United States may build roads through reservation, and establish military posts.

Damages therefor to be ascertained and paid.

ARTICLE V. The United States agree that they will expend annually, during the period of forty years, from and after the ratification of this treaty, for the benefit of the Indians who are parties hereto, and of such others as may unite with them in pursuance of the terms hereof, in such manner and for such purposes as, in the judgment of the Secretary of the Interior for the time being, will best subserve their wants and interests as a people, the following amounts, that is to say, until such time as said Indians shall be removed to their reservations, as provided for by article II. of this treaty, an amount which shall be equal to ten dollars per capita for each person entitled to participate in the beneficial provisions of this treaty; and from and after the time when such removal shall have been accomplished, an amount which shall be equal to fifteen dollars per capita for each person entitled as aforesaid. Such proportion of the expenditure provided for by this article as may be considered expedient to distribute in the form of annuities shall be delivered to said Indians as follows, viz: one third thereof during the spring, and two thirds thereof during the autumn of each year.

Annuities for forty years.

Amount

When to be delivered.

For the purpose of determining from time to time the aggregate amount to be expended under the provisions of this article, it is agreed that the number entitled to its beneficial provisions the coming year is four thousand, and that an accurate census of the Indians entitled shall be taken at the time of the annuity payment in the spring of each year by their agent or other person designated by the Secretary of the Interior, which census shall be the basis on which the amount to be expended the next ensuing year shall be determined.

Present number of Indians.

Census to be taken annually.

ARTICLE VI. The Indians parties to this treaty expressly covenant and agree that they will use their utmost endeavors to induce that portion of the respective tribes not now present to unite with them and accede to the provisions of this treaty, which union and accession shall be evidenced and made binding on all parties whenever such absentees shall have participated in the beneficial provisions of this treaty.

Other portions of tribes to be urged to join in this treaty.

In testimony whereof, the said Commissioners on the part of the United States, and the chiefs and headmen of the said bands of Camanche Indians and of the Kiowa tribe of Indians, hereinbefore referred to, and designated in connection with their signatures, have hereunto subscribed their names and affixed their seals on the day and year first above written.

Execution.

JOHN B. SANBORN, [SEAL.]
WM. S. HARNEY, [SEAL.]
KIT CARSON, [SEAL.]
WM. W. BENT, [SEAL.]
JAMES STEELE, [SEAL.]
THOS. MURPHY, [SEAL.]
J. H. LEAVENWORTH, [SEAL.]
Commissioners on the part of the United States.

Signed and sealed in presence of—

W. R. IRWIN, *Secretary.*
WM. T. KITTRIDGE.
D. C. MCNEIL.
JAS. S. BOYD.

TAB-E-NAN-I-KAH, or Rising Sun, his x mark, [SEAL.]
Chief of Yampirica, or Root Eater band of Camanches, for Paddy-wah-say-mer and Ho-to-yo-koh-wat's bands.

ESH-E-TAVE-PA-RAH, or Female Infant, his x mark, [SEAL.]
Headman of Yampirica band of Camanches.

A-SHA-HAB-BEET, or Milky Way, his x mark, [SEAL.]
Chief Penne-taha, or Sugar Eater band of Camanches, and for Co-che-te-ka, or Buffalo Eater band.

QUEEN-AH-E-VAH, or Eagle Drinking, his x mark, [SEAL.]
Head chief of No-co-nee or Go-about band of Camanches.

TA-HA-YER-QUOIP, or Horse's Back, his x mark, [SEAL.]
2d chief of No-co-nee or Go-about band of Camanches.

POCHA-NAW-QUOIP, or Buffalo Hump, his x mark [SEAL.]
3d chief of Pennetaka, or Sugar Eater band of Camanches.

HO-TO-YO-KOH-WOT, or Over the Buttes, his x mark, [SEAL.]
Chief of Yampirica band.

PARRY-WAH-SAY-MER, or Ten Bears, his x mark, [SEAL.]
Chief of Yampirica band.

BO-YAH-WAH-TO-YEH-BE, or Iron Mountain,
Chief of Yampirica band of Camanches, his x mark, [SEAL.]

BO-WAH-QUAS-SUH, or Iron Shirt, his x mark, [SEAL.]
Chief of De-na-vi band, or Liver Eater band of Camanches.

TO-SA-WI, or Silver Brooch, his x mark, [SEAL.]
Head Chief of Pennetaka band of Camanches.

QUEIL-PARK, or Lone Wolf, his x mark, [SEAL.]
WAH-TOH-KONK, or Black Eagle, his x mark, [SEAL.]
ZIP-KI-YAH, or Big Bow, his x mark, [SEAL.]
SA-TAN-TA, or White Bear, his x mark, [SEAL.]
TON-A-EN-KO, or Kicking Eagle, his x mark, [SEAL.]
SETTEM-KA-YAH, or Bear Runs over a Man, his x mark, [SEAL.]
KAW-PE-AH, or Plumed Lance, his x mark, [SEAL.]
TO-HAU-SON, or Little Mountain, his x mark, [SEAL.]
SA-TANK, or Sitting Bear, his x mark, [SEAL.]
PAWNEE, or Poor Man, his x mark, [SEAL.]
TA-KI-BULL, or Stinking Saddle Cloth, his x mark, [SEAL.]
Chief of the Kiowa tribe.

Ratification.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-second day of May, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
May 22, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at the council-ground on the Little Arkansas river, eight miles from the mouth of said river, in the State of Kansas, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between the Commissioners on the part of the United States, and the chiefs and headmen of the Kiowa tribe of Indians.

Attest: J. W. FORNEY, *Secretary.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-second of May, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty.

In testimony whereof I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-sixth day of May, in the year of our Lord one thousand eight hundred and sixty-
[SEAL.] six, and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Two Kettles Band of Dakota or Sioux Indians; Concluded October 19, 1865; *Ratification advised, with Amendment, March* 5, 1866; *Proclaimed March* 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: Oct. 19, 1865.

Preamble.

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the nineteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Cha-tan-skah, (The White Hawk.) E-to-ke-ah, (The Hump,) and other chiefs and headmen of the Two Kettles band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Two Kettles band of Dakota or Sioux Indians.

Authority and jurisdiction of the United States acknowledged.

ARTICLE I. The Two Kettles band of Dakota or Sioux Indians represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota or Sioux, or other adjacent tribes, from making hostile demonstrations against the government of the United States or its people.

Persons and property of other tribes not to be first attacked.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction, hitherto at war with each other, the Two Kettles band of Dakota or Sioux, represented in council, anxious to respect the wishes of the government, hereby agree and bind themselves to discontinue, for the future, all attacks upon the persons or property of other tribes, unless first assailed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Controversies to be submitted to the arbitrament of the President.

ARTICLE III. All controversies or differences arising between the Two Kettles band of Dakota or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

Indians to withdraw from overland routes.

ARTICLE IV. The said band, represented in council, shall withdraw from the routes overland already established, or hereafter to be established through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said band the sum of six thousand dollars annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That the said band so represented in council shall faithfully conform to the requirements of this treaty.

Amendment. *Post*, p. 725. Payment. Proviso.

Individual Indians locating upon lands to be protected.

ARTICLE V. Should any individual or individuals, or portion of the band of The Two Kettles band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any part of the land claimed by the said band, for the purpose of agricultural or other pursuits, it is hereby agreed by the parties to this treaty that such individual or individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and where twenty lodges or families of the Two Kettles band shall have located on lands for agricultural purposes, and signified the same to their agent or superintendent, they as well as other families so locating shall receive the sum of twenty-five dollars annually, for five years, for each family, in agricultural inplements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the government, also teachers, at the option of the Secretary of the Interior, when deemed necessary.

Payments for agricultural, &c. implements.

Farmer and blacksmith. Teachers.

Indemnity for killing a chief.

ARTICLE VI. Soldiers in the United States service having killed Ish-tah-chah-ne-aha, (Puffing Eyes,) a friendly chief of the Two Kettles band of Dakota or Sioux Indians, it is hereby agreed that the government of the United States shall cause to be paid to the surviving widow of the deceased and his children, seventeen in number, the sum of five hundred dollars; and to the said tribe or band, in common, as indemnity for killing said chief, the sum of five hundred dollars, said payment to be made under the direction of the Secretary of the Interior.

Amendment to be binding.

ARTICLE VII. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Two Kettles band of Dakota or Sioux, have hereunto set their hands, this nineteenth day of October, one thousand eight hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the said chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Major-General*,
H. H. SIBLEY, *Brigadier-General*,
HENRY W. REED,
ORRIN GUERNSEY,
Commissioners on the part of the United States.

CHA-TAN-SKAH, The White Hawk, chief, his x mark.
E-TO-KE-AH, The Hump, chief, his x mark.
SHON-KAH-WAK-KON-KE-DESH-KAH, The Spotted Horse, chief, his x mark.
MAH-TO-KE-DESH-KAH, The Spotted Bear, chief, his x mark.
MAH-TO-TO-PAH, The Four Bears, his x mark.

CHAN-TAY-O-ME-NE-O-ME-NE, The Whirling Heart, his x mark.
MAH-TO-A-CHA-CHAH, The Bear that is like him, his x mark.
TAH-HOO-KA-ZAH-NOM-PUB, The Two Lances, his x mark.
MAH-TO-TON-KAH, The Big Bear, his x mark.
TO-KE-CHI-WY-A, He that Catches the Enemy, his x mark.
MAH-TO-NAN-GEE, The Bear that Stands, his x mark.
SHON-KAH-DOO-TAH, The Red Dog, his x mark.
CHON-NOM-PAH-PA-GE-NAN-KAH, He that wears the Pipe on his head, his x mark.
TAH-SHON-KAH-MUZ-ZAH, His Iron Dog, his x mark.
HO-PO-E-MUZ-ZAH, The Iron Wing, his x mark.
CHAH-GE-LESH-KAH-WAK-KE-AN, The Thunder Spotted Hoop, his x mark.
HAK-KAH-DOO-SAH, The Fast Elk, his x mark.
WY-AH-TAH-TON-KAH, The Big Nation, his x mark.
WE-KEE-PAH, The One that Calls the Women, his x mark.
PA-JE-TO, Green Grass, his x mark.
Chief CHON-KA-HAS-KA, Stinking Dog, his x mark.
Chief PA-TA-SEA-WAH-BEL-LU, White Cow Eagle, his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained, in our presence: —

A. W. HUBBARD, *M. C. 6th dist. Iowa.*
HEZ. L. HOSMER, *Chief Justice of Montana Territory.*
CHAS. C. G. THORNTON, *Lt.-Col. 4th U. S. Vols.*
E. F. RUTH, *Sec'y of Commission.*
O. D. BARRETT, *Special Agent Ind. Aff.*
ZEPHIER RECONTRE, his x mark, *Interpreter.*
CHARLES DEGRE, his x mark, "

The foregoing signatures in this handwriting (that of Gen. Curtis) were made in presence of the undersigned.

Maj. A. P. SHREVE, *Paymaster U. S. A.*
JOHN PATTEE, *Lt.-Col. 7th Iowa Cavalry.*

Ratification with amendment.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the Commissioners on the part of the United States, and the chiefs and headmen of the Two Kettles band of *Dacotah* [Dakota] or Sioux Indians, made and concluded at Fort Sully, in the Territory of Dakota, with the following

AMENDMENT:

Article IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon." *Ante*, p. 724.

Attest: J. W. FORNEY, *Secretary.*

And whereas article seventh of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band: —

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this seventeenth day of March, in the year of our Lord one thousand eight hundred and [SEAL.] 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.*

Treaty between the United States of America and the Blackfeet Band of Dakota or Sioux Indians; Concluded October 19, 1865; *Ratification advised, with Amendment, March* 5, 1866; *Proclaimed March* 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: Oct. 19, 1865.

Preamble.

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the nineteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners, on the part of the United States, and Wah-hah-chunk-i-ah-pee, (The One that is used as a Shield,) Wah-mun-dee-wak-ko-no, (The War Eagle in the Air,) and other chiefs and headmen of the Blackfeet band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Blackfeet band of Dakota or Sioux Indians.

Jurisdiction and authority of the United States acknowledged, &c.

ARTICLE I. The Blackfeet band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force to prevent other bands of the Dakota or Sioux, or other adjacent tribes from making hostile demonstrations against the government of the United States, or its people.

Persons and property of other tribes not to be first attacked.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto a[t] war with each other, the Blackfeet band of Dakota or Sioux, represented in council, anxious to respect the wishes of the government, hereby agree and bind themselves to discontinue for the future all attacks upon the persons or property of other tribes, unless first assailed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Controversies to be submitted to the arbitrament of the President.

ARTICLE III. All controversies or differences arising between the Blackfeet band of Dakota or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

Indians to withdraw from overland routes. Amendment. *Post*, p. 729.

ARTICLE IV. The said band, represented in council, shall withdraw from the routes overland, already established or hereafter to be established, through their country, and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said band the sum of seven thousand dollars annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band, so represented in council, shall faithfully conform to the requirements of this treaty.

Payments.

Proviso.

Amendments to be binding.

ARTICLE V. Any amendment or modification of this treaty, by the [Senate of the United States shall be considered final and binding upon the] said band represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said nation.

Execution.

In testimony whereof the commissioners on the part of the United States, and the chiefs and headmen of the said Blackfeet band of the Dakota or Sioux, have hereunto set their hands, this nineteenth day of October, one thousand eight hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the said chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Major-General*,
H. H. SIBLEY, *Brig.-General*,
HENRY W. REED,
ORRIN GUERNSEY.

Chiefs.

WAH-HAH-CHUNK-I-AH-PEE, The One that is used as a Shield, his x mark.
WAH-MUN-DEE-WAK-KON-O, The War Eagle in the Air, his x mark.
OYA-HIN-DI-A-MAN-NEE, The Track that Rings as it Walks, his x mark.
SHON-KAH-HON-SKAH, The Long Dog, his x mark.

Principal Braves or Soldiers.

MAH-TO-KO-KE-PAH, He that Fears the Bear, his x mark.
A-HACK-AH-SAP-PAH, The Black Stag, his x mark.
A-HACK-AH-WE-CHASH-TAH, The Stag Man, his x mark.
MAH-TO-WASH-TAY, The Good Bear, his x mark.
TAH-TON-KAH-HO-WASH-TAY, The Buffalo with a Fine Voice, his x mark
SHON-KAH-WAH-MUN-DEE, The Dog War Eagle, his x mark.
WAH-MUN-DEE-YOU-HAH, He that has the War Eagle, his x mark.
MUZ-ZAH-TO-YAH, The Blue Iron, his x mark.
Chief CHAN-TA-PA-TA, Fire Heart, his x mark.
Chief CHAN-TA-NON-PAS, Two Hearts, his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen after the treaty had been fully read, interpreted, and explained, in our presence: —

A. W. HUBBARD, *M. C. 6th dist. Iowa.*
E. F. RUTH, *Sec'y to Commission.*
O. D. BARRETT, *Special Agent Ind. Affs.*

S. S. CURTIS, *Maj. 2d Colorado Cav.*
R. R. HITT, *Reporter of the Commission.*
ZEPHIER RECONTRE, his x mark,
CHARLES DEGRES, his x mark,
Interpreter[s]

Soldiers.

CE-HA-PA-CHI-KE-LA, Little Blackfoot,	his x mark.
CHAN-TA-PE-A, Strong Heart,	his x mark.
NON-PA-GE-GU-MUGAMA, Round Hand,	his x mark.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5, 1866,

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the commissioners on the part of the United States and the chiefs and headmen of the Blackfeet Band of *Dacotah* [Dakota] or Sioux Indians, with the following Ratified with amendment.

AMENDMENT:

Article IV., lines 3, 4, and 5, strike out the following words, viz.: "and of their no[n]-interference with the persons and property of citizens of the United States travelling thereon." See *Ante*, p. 728

Attest: J. W. FORNEY, *Secretary.*

And whereas it was intended and understood by article fifth of said treaty that any amendment or modification of it by the Senate of the United States should be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band:

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid. Proclaimed.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March, in the year of our Lord one thousand eight hundred and sixty-six, [SEAL.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Sans Arcs Band of Dakota or Sioux Indians; Concluded October 20, 1865; *Ratification advised, with Amendment, March* 5, 1866; *Proclaimed March* 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, Oct. 20, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble.

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twentieth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Wah-mun-dee-o-pee-doo-tah, (The War Eagle with the Red Tail,) Cha-tau'-hne, (The Yellow Hawk,) and other chiefs and headmen of the Sans Arcs band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, Governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indians affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Sans Arcs band of Dakota or Sioux Indians.

Authority and jurisdiction of the United States acknowledged.

ARTICLE I. The Sans Arcs band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if requisite, physical force, to prevent other bands of Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Persons and property of other tribes not to be first attacked.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Sans Arcs band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Controversies to be submitted to the arbitrament of the President.

ARTICLE III. All controversies or differences arising between the Sans Arcs band of Dakota or Sioux Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award shall be faithfully observed by the said band represented in council.

Indians to withdraw from overland routes. Amendment. *Post*, p. 733.

ARTICLE IV. The said band represented in council shall withdraw from the route overland already established, or hereafter to be established, through their country; and in consideration thereof and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay the said band the sum of thirty dollars for each lodge or family, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band so represented in council shall faithfully conform to the requirements of this treaty.

Payment.

Proviso.

Individual Indians locating upon lands to be protected.

ARTICLE V. Should any individual or individuals or portion of the band of the Sans Arcs band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty, that such individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and whenever twenty lodges or families of the Sans Arcs band shall have located on land for agricultural purposes, and signified the same to their agent or superintendent, they, as well as other families so locating, shall receive the sum of twenty-five dollars annually, for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits they shall be entitled to a farmer and blacksmith, at the expense of the government; as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

Payments for agricultural, &c., implements.

Farmer and blacksmith. Teachers.

Amendments to be binding.

ARTICLE VI. Any amendment or modification of this treaty, by the Senate of the United States, shall be considered final and binding upon the said band represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Sans Arcs band of Dakota or Sioux Indians, have hereunto set their hands this twentieth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-Gen'l*,
HENRY. H. SIBLEY, *Brig.-Gen'l*,
HENRY W. REED,
ORRIN GUERNSEY.

Chiefs.

WAH-MUN-DEE-O-PEE-DOO-TAH, The War Eagle with the Red Tail, his x mark
CHA-TAU-'HNE, Yellow Hawk, his x mark
SHON-KAH-WE-TO-KO, The Fool Dog, his x mark.

Chief Soldiers.

CHAN-TAY-MAH-TO, The Bear's Heart, his x mark.
TAH-KO-KO-KE-PISH-NEE, The Man that Fears Nothing, his x mark.
NUP-CHE-UNK, The Nine, his x mark.
MAH-TO-NUK-KAH, The Bear's Ears, his x mark.
CHAN-DESH-KAH-SAPPAH, The Black Hoop, his x mark.
ZE-TE-KAH-NAH-SAPPEE, The Bird Necklace, his x mark.

Signed by the Commissioners on the part of the United States, and by

the chiefs and headmen after the treaty had been fully read, interpreted, and explained, in our presence:

HEZ. L. HOSMER, *Chief Justice of Montana Territory.*
S. S. CURTIS, *Bvt. Lt. Col. U. S. V.*
E. F. RUTH, *Sec'y of Commission.*
W. S. WOODS, *Surgeon U. S. Vols.*
C. S. MORRISON,
O. E. GUERNSEY,
CHARLES DEGRE, his x mark, *Interpreter.*
Chief CROW FEATHER, *Con-ge-we-a-ka*, his x mark.
GRAY HAIR, *Pa-he-sa*, his x mark.
RED HAIR, *Pa-he-sha*, his x mark.
THE SHIELD EAGLE, *Wa-chan-ka-wam-ba-lee*, his x mark.
BLACK BEAR, *Ma-to-sapa*, his x mark.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5, 1866.

Ratification with amendment.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the commissioners on the part of the United States, and the chiefs and headmen of the Sans Arcs band of *Dacotah* [Dakota] or Sioux Indians, with the following

AMENDMENT.

Article IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon." See *Ante*, p. 732.

Attest: J. W. FORNEY, *Secretary.*

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band:—

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March, in the year of our Lord one thousand eight hundred and [SEAL.] 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.*

Treaty between the United States of America and the Yanktonai Band of Dakota or Sioux Indians; Concluded October 20, 1865; *Ratification advised, with Amendment, March* 5, 1866; *Proclaimed March* 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, Oct. 20, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble.

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twentieth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and M'Doka, (The Buck,) Mah-to-wak-kouah, (He that runs the Bear,) and other chiefs and headmen of the Yanktonai band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Yanktonai band of Dakota or Sioux Indians.

Jurisdiction and authority of the United States acknowledged.

ARTICLE I. The Yanktonai band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if requisite, physical force, to prevent other bands of Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Persons and property of other tribes not to be first attacked.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Yanktonai band of Dakota or Sioux Indians represented in council, anxious to respect the wishes of the government, hereby agree to discontinue, for the future, all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Controversies to be submitted to the arbitrament of the President.

ARTICLE III. All controversies or differences arising between the Yanktonai band of Dakota or Sioux Indians, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award shall be faithfully observed by the said band represented in council.

Indians to withdraw from overland routes Amendment. *Post*, p. 737.

ARTICLE IV. The said band, represented in council shall withdraw from the routes overland already established, or hereafter to be established, through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United

States travelling thereon, the government of the United States agree to pay the said band the sum of thirty dollars for each lodge or family, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band, so represented in council, shall faithfully conform to the requirements of this treaty.

Payments.

Proviso.

Individual Indians locating on lands to be protected.

ARTICLE V. Should any individual or individuals, or portion of the band of the Yanktonai band of Dakota or Sioux Indians represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to *to* this treaty that such individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and whenever twenty lodges or families of the Yanktonai band shall have located on lands for agricultural purposes, and signified the same to their agents or superintendent, they, as well as other families so locating, shall receive the sum of twenty-five dollars annually, for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the government, as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

Payments for agricultural, &c., purposes.

Farmer, blacksmith, and teachers.

Amendments to be binding.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Yanktonai band of Dakota or Sioux Indians, have hereunto set their hands, this twentieth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-Gen'l*,
H. H. SIBLEY, *Brig.-Gen'l*,
HENRY REED,
ORRIN GUERNSEY.

Chiefs.

M'DOKA, or The Buck, his x mark.
MAH-TO-WAK-KOUAH, He that Runs the Bear, his x mark.
SHON-KAH-WE-TE-KO, The Fool Dog, his x mark.

Chief Soldiers.

TAH-CHONK-PEE-SAPPAH, The Black Tomahawk, his x mark.
WAH-DOO-TAH-WAK-KEAN, The Red Thunder, his x mark.
TON-KON-HA-TON, The Rock with a Horn, his x mark.

Chiefs.

TWO BEARS, Mato-non-pa, his x mark.
WHITE BEAR, Ma-to-sea, his x mark.
BONE NECKLACE, Ho-hoo-non-pee, his x mark.

Soldier.

DOG CLOUD, his x mark

In presence of—

HEZ. L. HOSMER, *Chief Justice of Montana Territory.*
S. S. CURTIS, *Bvt. Lt. Col. U. S. V.*

A. W. HUBBARD, *M. C. 6th Dist. Iowa,*
E. F. RUTH, *Secretary of Commission.*
R. R. HITT, *Reporter of Commission.*
ZEPHIER RE[N]CONTRE, his x mark, *Interpreter.*
CHARLES DEGRES, his x mark, *Interpreter.*

THE MAN THAT RUNS IN HIS TRACKS,
O-yea-ke-pa. his x mark.
THE MAN SURROUNDED, Na-je-om-pee, his x mark.
THE MEDICINE WHITE MAN, Wa-se-che-wa-kon, his x mark.
THE MAN THAT STIRS, Skin-ich-e-a, his x mark.
FAST WALKER, Mon-ne-loo-sa, his x mark.
RED BULL, Taw-ton, his x mark.

The foregoing signatures in this handwriting (that of General Curtis) were made in presence of the undersigned on the 28th and 29th October, 1865 at Fort Sully.

Maj. A. P. SHREVE, *Paymaster U. S. A.*
JOHN PATTIE, *Lt. Col. 7th Iowa Cavalry.*

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5, 1866.

Ratification with amendment.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the Commissioners on the part of the United States and the *Upper* Yanktonai band of *Dacotah* [Dakota] or Sioux Indians, with the following

AMENDMENT:

See *Ante*, p. 735.

Article IV., lines 3, 4, and 5, strike out the following words, viz.: "and of their non-interference with the persons and property of citizens of the United States travelling thereon."

Attest: J. W. FORNEY, *Secretary.*

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band: —

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this seventeenth day of March, in the year of our Lord one thousand eight hundred and sixty-
[L. S.] six, and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Onkpahpah Band of Dakota or Sioux Indians; Concluded October 20, 1865; Ratification advised, with Amendment, March 5, 1866; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, Oct. 20, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble.

Whereas a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twentieth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Ah-ke-tche-tah-hon-skah, (The Tall Soldier,) Mah-to-che-kah, (The Little Bear,) and other chiefs and headmen of the Onk-pah-pah band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Onkpahpah band of Dakota or Sioux Indians.

Authority and jurisdiction of the United States acknowledged.

ARTICLE I. The Onkpahpah band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if requisite, physical force, to prevent other bands of Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Persons and property of the tribes not to be first attacked.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Onkpahpah band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Controversies to be submitted to the arbitrament of the President.

ARTICLE III. All controversies or differences arising between the Onkpahpah band of Dakota or Sioux Indians involving the question of peace or war shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award shall be faithfully observed by the said band represented in council.

Indians to withdraw from overland routes.

ARTICLE IV. The said band represented in council shall withdraw from the routes overland already established, or hereafter to be established, through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to

Amendment. *Post*, p 741.

Payments.

pay the said band the sum of thirty dollars for each lodge or family, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band so represented in council shall faithfully conform to the requirements of this treaty.

Proviso.

Individual Indians locating on lands to be protected.

ARTICLE V. Should any individual or individuals, or portion of the band of the Onkpahpah band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty that such individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians, and whenever twenty lodges or families of the Onkpahpah band shall have located on land for agricultural purposes, and signified the same to their agents or superintendent, they as well as other families so locating shall receive the sum of twenty-five dollars annually for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the government, as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

Payments for agricultural, &c., purposes.

Farmer, blacksmith, and teachers.

Amendments to be binding.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Onkpahpah band of Dakota or Sioux Indians, have hereunto set their hands this twentieth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-General*,
H. H. SIBLEY, *Brig.-General*,
HENRY W. REED,
ORRIN GUERNSEY.

Chiefs.

AH-KE-TCHE-TAH-HON-SKAH, The Tall Soldier, his x mark.
MAH-TO-CHE-KAH, The Little Bear, his x mark.
MUZZAH-E-NOM-PAH, The Iron that Comes Out, his x mark.
WAK-KE-AN-SKAH, The White Thunder, his x mark.

Chief Soldiers.

MAH-TO-NOM-PAH, The Two Bears, his x mark.
CHA-TAN-ME-NE-O-ME-NEE, The Whirling Heart, his x mark.

Chiefs.

MA-TO-CHEWICKSA, Bear's Rib, his x mark.
RUNNING ANTELOPE, Ta-to-kee-un, his x mark.
THE MAN THAT HAS A HEART FOR ALL, O-en-e-chan-ta-u-can, his x mark.

Soldiers.

THUNDER HAWK, Cha-ton-wa-ke-on, his x mark.
IRON HORN, Ha-ma-za, his x mark.
PLENTY CROWS, Con-ge-o-ta, his x mark.
THE MAN THAT FEARS THE EAGLE, Wam-bel-le-co-ke-pa, his x mark.
SPOTTED BUFFALO BULL, Ta-tanka-ge-lis-ka, his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained in our presence: —

HEZ. L. HOSMER, *Chief Justice of Montana Territory.*
S. S. CURTIS, *Bvt. Lt. Col. U. S. V.*
E. F. RUTH, *Sec'y of Commission.*
W. S. WOODS, *Surgeon U. S. Vols.*
C. S. MORRISON.
O. E. GUERNSEY.
CHARLES DEGRE, his x mark, *Interpreter.*

The foregoing signatures in this handwriting (that of Gen'l Curtis) were made in presence of the undersigned on the 28th and 29th Oct. 1865, at Fort Sully.

Maj. A. P. SHREVE, *Paymaster U. S. A.*
JOHN PATTEE, *Lt. Col. 7th Iowa Cavalry.*

Ratification with amendment.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.
March 5th, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the Commissioners on the part of the United States and the chiefs and headmen of the Onk-pah-pah band of *Dacotah* [Dakota] or Sioux Indians, with the following

AMENDMENT:

ARTICLE IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon." See *Ante*, p. 739.

Attest: J. W. FORNEY, *Secretary.*

Proclaimed.

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band:

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March, in the year of our Lord one thousand eight hundred and [SEAL.] 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.*

Treaty between the United States of America and the Upper Yanktonais Band of Dakota or Sioux Indians; Concluded October 28, 1865; *Ratification advised, with Amendment, March* 5, 1866; *Proclaimed March* 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, Oct. 28, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble.

Whereas a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twenty-eighth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Na-su-la-tan-ka, (Big Head,) Na-pa-tan-ka, (Big Hand,) and other chiefs and headmen of the Upper Yanktonais band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Contracting parties.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Upper Yanktonais band of Dakota or Sioux Indians.

Jurisdiction and authority of the United States acknowledged.

ARTICLE I. The Upper Yanktonais band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Persons and property of other tribes not to be first attacked.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Upper Yanktonais band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Controversies to be submitted to the arbitrament of the President.

ARTICLE III. All controversies or differences arising between the Upper Yanktonais band of Dakota or Sioux Indians, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

Indians to withdraw from overland routes. Amendment. *Post*, p. 745.

ARTICLE IV. The said band represented in council, shall withdraw from the routes overland already established, or hereafter to be established, through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay the said band the sum of ten thousand dollars, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band so represented in council shall faithfully conform to the requirements of this treaty.

Payments.

Proviso.

Individual Indians locating on lands to be protected.

ARTICLE V. Should any individual or individuals, or portion of the band of the Upper Yanktonais band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty that said individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians, and whenever twenty lodges or families of the Upper Yanktonais band shall have located on land for agricultural purposes, and signified the same to their agent or superintendent, they, as well as other families so locating, shall receive the sum of twenty-five dollars annually for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the government, as also teachers, at the option of the Secretary of the Interior, w[h]enever deemed necessary.

Payments for agricultural purposes.

Farmer, blacksmith, and teachers.

Amendments to be binding.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Upper Yanktonais band of Dakota or Sioux Indians, have hereunto set their hands this twenty-eighth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-Gen'l.*
H. H. SIBLEY, *Brig.-Gen'l,*
HENRY W. REED,
ORRIN GUERNSEY.

The above signatures were made in our presence: —

GEO. D. HILL.
S. L. SPINK.
A. W. HUBBARD.
G. C. MOODY.
Chief: Big Head, NA-SU-LA-TAN-KA, his x mark.
Soldier: Big Hand, NA-PA-TAN-KA, his x mark.
Soldier: Left-handed Bear, MA-TO-CHAT-KA, his x mark.
Soldier: The Fine Dressed Man, WA-ICH-CO-YA-KA, his x mark.
The Man Covered with Lice, HA-O-POO-ZA, his x mark.
Little Soldier, A-KICH-IT-A-CHI-KI-LA, his x mark.
The Spread Horn, HA-KA-TI-NA, his x mark.
Black Tiger, EGO-MO-SA-PA, his x mark.
The Man Afraid of his War-club, CHAM-PI-CO-QUI-PA, his x mark.
The Big Shaved Head, COSH-LA-TON-CA, his x mark.
Lazy Bear, MA-TO-CHICK-PA-NE, his x mark.
The Man.

Rock Man, Ton-ka-wi-cha-sa, his x mark.
Chief: Black Catfish, O-wa-sa-pa, his x mark.
Chief: The Curley-headed Goose, Ma-ga-bo-ma-do, his x mark.

The above signatures in this handwriting (that of Gen'l Curtis) were made in presence of the undersigned, on the 28th and 29th Oct., 1865, at Fort Sully.

Maj. A. P. Shreve, *Paymaster U. S. A.*
John Pattee, *Lt. Col. 7th Iowa Cavalry.*

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit: —

In Executive Session, Senate of the United States,
March 5th, 1866.

Ratified with amendment.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the Commissioners on the part of the United States and the chiefs and headmen of the Upper Yanktonais band of *Dacotah* [Dakota or Sioux] Indians, with the following

AMENDMENT:

Ante, p. 746.

Article IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon."

Attest: J. W. FORNEY, *Secretary.*

Proclaimed.

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band:

Now, therefore, be it known that I, Andrew Johnson, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March, in the year of our Lord one thousand eight hundred and [seal.] 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.*

Treaty between the United States of America and the O'Gallala Band of Dakota or Sioux Indians; Concluded October 28, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, Oct. 28, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble.

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twenty-eighth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Tan-tan-ka-has-ka, (Long Bull,) Ma-lo-wa-ta-khe, (The Charging Bear,) and other chiefs and headmen of the O'Gallala band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Maj.-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the O'Gallala band of Dakota or Sioux Indians.

Jurisdiction and authority of the United States acknowledged.

ARTICLE I. The O'Gallala band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Persons and property of other tribes not to be first attacked.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the O'Gallala band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Controversies to be submitted to the arbitrament of the President.

ARTICLE III. All controversies or differences arising between the O'Gallala band of Dakota or Sioux Indians, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted *shall be submitted* for the arbitrament of the *arbitrament of the* President, or such person or persons as may be designated by him, and

the decision or award faithfully observed by the said band represented in council.

Indians to withdraw from overland routes. Amendment. *Post*, p. 749.

ARTICLE IV. The said band represented in council shall withdraw from the routes overland already established or hereafter to be established through their country: and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said band the sum of ten thousand dollars annually for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band, so represented in council, shall faithfully conform to the requirements of this treaty.

Payments.

Proviso.

Individual Indians locating on lands to be protected.

ARTICLE V. Should any individual or individuals, or portion of the band of the [O'Gallala] band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty, that such individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and whenever twenty lodges or families of the O'Gallala band shall have located on land for agricultural purposes, and signified the same to their agent or superintendent, they as well as other families so locating shall receive the sum of twenty-five dollars annually, for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits they shall be entitled to a farmer and blacksmith, at the expense of the government, as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

Payments for agricultural, &c., purposes.

Farmer, blacksmith, and teachers.

Amendments to be binding.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said O'Gallala band of Dakota or Sioux Indians, have hereunto set their hands this twenty-sixth day of October, eighteen hundred and sixty-five after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B TAYLOR,
S. R. CURTIS, *Maj.-Gen'l*,
H. H. SIBLEY, *Brig.-Gen'l*,
HENRY W. REED,
ORRIN GUERNSEY.

Signed on the part of the Commission, in our presence: —

S. L. SPINK,
GEO. D. HILL,
A. W. HUBBARD,
G. C. MOODY.
Chief LONG BULL, Tan-tan-ka-has-ka, his x mark.
THE CHARGING BEAR, Ma-lo-wa-ta-khe, his x mark.
THE MAN THAT STANDS ON A HILL, Pa-ha-to-na-je, his x mark.

The foregoing signatures in this handwriting (that of General Curtis) were made in presence of the undersigned on the 28th and 29th Oct., 1865, at Fort Sully.

Maj. A. P. SHREVE, *Paymaster U. S. A.*
JOHN PATTEE, *Lt. Col. 7th Iowa Cavalry.*

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit: — Ratification with amendment.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States and headmen of the O'Gallala band of *Dacotah* [Dakota] or Sioux Indians, made and concluded at Fort Sully, in the Territory of Dakota, with the following

AMENDMENT:

Article IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon." See *Ante*, p. 748.

Attest: J. W. FORNEY, *Secretary.*

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band: —

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid. Proclaimed.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March, in the year of our Lord one thousand eight hundred and [SEAL.] 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.*

Supplemental Treaty between the United States of America and the Confederated Tribes and Bands of Indians of Middle Oregon; Concluded November 15, 1865; Ratification advised March 2, 1867; Proclaimed March 28, 1867.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: Nov. 15, 1865.

Preamble.

WHEREAS, a supplemental Treaty was made and concluded at the Warm Springs Indian Agency, in the State of Oregon, on the fifteenth day of November, in the year of our Lord one thousand eight hundred and sixty-five, by and between J. W. Perit Huntington, Commissioner, on the part of the United States, and Mark, William Chinook, Kuck-up, and other chiefs and headmen of the confederated tribes and bands of Indians of Middle Oregon, on the part of said Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties.

ARTICLES of agreement and convention entered into at the Warm Springs Agency, Oregon, by J. W. Perit Huntington, Sup't Indian affairs for Oregon, on behalf of the United States, and the undersigned, chiefs and headmen of the confederated tribes and bands of Middle Oregon, the same being amendatory of and supplemental to the treaty negotiated with the aforesaid tribes on the twenty-fifth day of June, eighteen hundred and fifty-five, and ratified by the Senate of the United States on the eighteenth day of April, eighteen hundred and fifty-nine.

Certain rights granted by the former treaty relinquished hereby. Vol. xii. p. 964.

ARTICLE I. It having become evident from experience that the provision of Article I. of the treaty of the twenty-fifth of June, A. D. eighteen hundred and fifty-five, which permits said confederated tribes to fish, hunt, gather berries and roots, pasture stock, and erect houses on lands outside the reservation, and which have been ceded to the United States, is often abused by the Indians to the extent of continuously residing away from the reservation, and is detrimental to the interests of both Indians and whites; therefore it is hereby stipulated and agreed that all the rights enumerated in the third proviso of the first section of the before-mentioned treaty of the twenty-fifth of June, eighteen hundred and fifty-five, — that is to say, the right to take fish, erect houses, hunt game, gather roots and berries, and pasture animals upon lands without the reservation set apart by the treaty aforesaid — are hereby relinquished by the confederated Indian tribes and bands of middle Oregon, parties to this treaty.

The tribes to remain upon their reservation.

Penalty for leaving, &c.

ARTICLE II. The tribes aforesaid covenant and agree that they will hereafter remain upon said reservation, subject to the laws of the United States, the regulations of the Indian Department, and the control of the officers thereof; and they further stipulate that if any of the members of said tribes do leave, or attempt to leave, said reservation in violation of this treaty, they will assist in pursuing and returning them, when called upon to do so by the superintendent or agent in charge.

Permits to go without the boundaries of the reservation.

ARTICLE III. In cases which may arise which make it necessary for any Indian to go without the boundaries of said reservation, the superintendent or agent in charge may, in his discretion, give to such Indian a written permit or pass, which shall always be for a short period and the

expiration definitely fixed in said paper. Any Indian who, having gone out with a written pass, shall remain beyond the boundaries for a longer period than the time named in said pass, [shall] be deemed to have violated this treaty to the same extent as if he or she had gone without a pass.

Indians breaking this treaty to forfeit annuities.

ARTICLE IV. An infraction of this treaty shall subject the Indian guilty thereof to a deprivation of his or her share of the annuities, and to such other punishment as the President of the United States may direct.

Money for the purchase of teams, &c.

ARTICLE V. It is stipulated and agreed on the part of the United States, as a consideration for the relinquishment of the rights herein enumerated, that the sum of three thousand five hundred dollars shall be expended in the purchase of teams, agricultural implements, seeds, and other articles calculated to advance said confederated tribes in agriculture and civilization.

Allotment of land to each head of a family.

ARTICLE VI. It is further agreed that the United States shall cause to be allotted to each head of a family in said confederated tribes and bands a tract of land sufficient for his or her use, the possession of which shall be guaranteed and secured to said family and the heirs thereof for ever.

Punishment of persons unlawfully furnishing ardent spirits to the Indians.

ARTICLE VII. To the end that the vice of intemperance among said tribes may be checked, it is hereby stipulated that when any members thereof shall be known to drink ardent spirits, or to have the same in possession, the facts shall be immediately reported to the agent or superintendent, with the name of the person or persons from whom the liquor was obtained; and the Indians agree to diligently use, under the direction of the superintendent or agent, all proper means to secure the identification and punishment of the persons unlawfully furnishing liquor as aforesaid.

Execution.

In testimony whereof, the said J. W. Perit Huntington, superintendent of Indian affairs, on the part of the United States, and the undersigned chiefs and head confederated tribes and bands aforesaid, have hereunto, in the presence of the subscribing witnesses and of each other, affixed our signatures and seals on this fifteenth day of November, in the year one thousand eight hundred and sixty-five.

J. W. PERIT HUNTINGTON, [SEAL.]
Sup't Indian Affairs in Oregon, and acting Commissioner on behalf of the United States.

MARK, head chief,	his x mark.	[SEAL.]
WM. CHINOOK,	his x mark.	[SEAL.]
KUCK-UP,	his x mark.	[SEAL.]
PONST-AM-I-NE,	his x mark.	[SEAL.]
ALEX-ZAN,	his x mark.	[SEAL.]
TAS-SIMK,	his x mark.	[SEAL.]
JOHN MISSION,	his x mark.	[SEAL.]
LOCK-SQUIS-SQUIS-SA,	his x mark.	[SEAL.]
KUCK-UPS,	his x mark.	[SEAL.]
HOTE,	his x mark.	[SEAL.]
I-PALT-PEL,	his x mark.	[SEAL.]
SIN-NE-WAH,	his x mark.	[SEAL.]
UMP-CHIL-LE-POO,	his x mark.	[SEAL.]
SHOOLEY,	his x mark.	[SEAL.]
TAH-KOO,	his x mark.	[SEAL.]
TUM-TSCHE-CUS,	his x mark.	[SEAL.]
TOU-WACKS,	his x mark.	[SEAL.]
HUL-LE-QUIL-LA,	his x mark.	[SEAL.]
TE-AH-KI-AK,	his x mark.	[SEAL.]
CHOK-TE,	his x mark.	[SEAL.]
KOOTSH-TA,	his x mark.	[SEAL.]

Done in presence of —

TALLAX, his x mark, *Interpreter.*
DONALD MCKAY, his x mark, *Interpreter.*
CHARLES LAFOLLETT, *Capt. 1st Og'n Inf.*
J. W. D. GILLETT, *School Teacher.*
MYRON REAVES, *Sup't Farming operations.*

Ratification

And whereas the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the second day of March, one thousand eight hundred and sixty-seven, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 2, 1867.

Resolved, That the Senate advise and consent to the ratification of the treaty between the United States and the confederate tribes and bands of Indians of middle Oregon, concluded the fifteenth of November, one thousand eight hundred and sixty-five, the same being amendatory and supplemental to the treaty with said Indians of the twenty-fifth of June, one thousand eight hundred and fifty-five.

Attest: J. W. FORNEY, *Secretary.*

Proclaimed.

Now, therefore, be it known, that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the second of March, one thousand eight hundred and sixty-seven, accept, ratify, and confirm the said Treaty.

In testimony whereof, I have hereto signed my name, and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-eighth day of March, in the year of our Lord one thousand eight hundred and sixty-
[SEAL.] 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.*

Treaty between the United States of America and the Seminole Nation of Indians; Concluded March 21, 1866; *Ratification advised July* 19, 1866; *Proclaimed August* 16, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, March 21, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the twenty-first day of March, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley, Elijah Sells, and Col. Ely S. Parker, Commissioners on the part of the United States, and John Chup-co, Cho-cote-harjo, Fos-harjo, and John F. Brown, chiefs and delegates of the Seminole Indians, on the part of said Indians, and duly authorized thereto by them, which Treaty is in the words and figures following, to wit: — Preamble.

ARTICLES OF A TREATY made and concluded at Washington, D. C., March 21, A. D. 1866, between the United States government, by its Commissioners, D. N. Cooley, Commissioner of Indian affairs, Elijah Sells, superintendent of Indian affairs, and Ely S. Parker, and the Seminole Indians, by their chiefs, John Chup-co, or Long John, Cho-cote-harjo, Fos-ha[r]-jo, John F. Brown. Contracting parties.

PREAMBLE.

Whereas existing treaties between the United States and the Seminole nation are insufficient to meet their mutual necessities; and whereas the Seminole nation made a treaty with the so-called confederate states, August 1st, 1861, whereby they threw off their allegiance to the United States, and unsettled their treaty relations with the United States, and thereby incurred the liability of forfeiture of all lands and other property held by grant or gift of the United States; and whereas a treaty of peace and amity was entered into between the United States and the Seminole and other tribes at Fort Smith, September 10, 1865, whereby the Seminoles revoked, cancelled, and repudiated the said treaty with the so-called confederate states; and whereas the United States, through its commissioners, in said treaty of peace, promised to enter into treaty with the Seminole nation to arrange and settle all questions relating to and growing out of said treaty with the so-called confederate states; and whereas the United States, in view of said treaty of the Seminole nation with the enemies of the government of the United States, and the consequent liabilities of said Seminole nation, and in view of its urgent necessities for more lands in the Indian territory, requires a cession by said Seminole nation of a part of its present reservation, and is willing to pay therefor a reasonable price, while at the same time providing new and adequate lands for them.

Now, therefore, the United States, by its commissioners aforesaid, and the above-named delegates of the Seminole nation, the day and year above written, mutually stipulate and agree, on behalf of the respective parties, as follows, to wit: —

ARTICLE I. There shall be perpetual peace between the United States and the Seminole nation, and the Seminoles agree to be and remain firm allies of the United States, and always faithfully aid the government thereof to suppress insurrection and put down its enemies. Peace and friendship.

Military occupation and protection by the United States.

The Seminoles also agree to remain at peace with all other Indian tribes, and with themselves. In return for these pledges of peace and friendship, the United States guarantee them quiet possession of their country, and protection against hostilities on the part of other tribes; and in the event of such hostilities, that the tribe commencing and prosecuting the same shall make just reparation therefor. Therefore the Seminoles agree to a military occupation of their country at the option and expense of the United States.

Amnesty.

A general amnesty of all past offences against the laws of the United States, committed by any member of the Seminole nation, is hereby declared; and the Seminoles, anxious for the restoration of kind and friendly feelings among themselves, do hereby declare an amnesty for all past offences against their government, and no Indian or Indians shall be proscribed, or any act of forfeiture or confiscation passed against those who have remained friendly to or taken up arms against the United States, but they shall enjoy equal privileges with other members of said tribe, and all laws heretofore passed inconsistent herewith are hereby declared inoperative.

Slavery not to exist among the Seminoles.

ARTICLE II. The Seminole nation covenant that henceforth in said nation slavery shall not exist, nor involuntary servitude, except for and in punishment of crime, whereof the offending party shall first have been duly convicted in accordance with law, applicable to all the members of said nation. And inasmuch as there are among the Seminoles many persons of African descent and blood, who have no interest or property in the soil, and no recognized civil rights, it is stipulated that hereafter these persons and their descendants, and such other of the same race as shall be permitted by said nation to settle there, shall have and enjoy all the rights of native citizens, and the laws of said nation shall be equally binding upon all persons of whatever race or color who may be adopted as citizens or members of said tribe.

Rights of those of African descent.

Cession of lands to the United States.

ARTICLE III. In compliance with the desire of the United States to locate other Indians and freedmen thereon, the Seminoles cede and convey to the United States their entire domain, being the tract of land ceded to the Seminole Indians by the Creek nation under the provisions of article first (1st), treaty of the United States with the Creeks and Seminoles, made and concluded at Washington, D. C., August 7, 1856. In consideration of said grant and cession of their lands, estimated at two million one hundred and sixty-nine thousand and eighty (2,169,080) acres, the United States agree to pay said Seminole nation the sum of three hundred and twenty-five thousand three hundred and sixty-two ($325,362) dollars, said purchase being at the rate of fifteen cents per acre. The United States having obtained by grant of the Creek nation the westerly half of their lands, hereby grant to the Seminole nation the portion thereof hereafter described, which shall constitute the national domain of the Seminole Indians. Said lands so granted by the United States to the Seminole nation are bounded and described as follows, to wit: Beginning on the Canadian river where the line dividing the Creek lands according to the terms of their sale to the United States by their treaty of February 6, 1866, following said line due north to where said line crosses the north fork of the Canadian river; thence up said north fork of the Canadian river a distance sufficient to make two hundred thousand acres by running due south to the Canadian river; thence down said Canadian river to the place of beginning. In consideration of said cession of two hundred thousand acres of land described above, the Seminole nation agrees to pay therefor the price of fifty cents per acre, amounting to the sum of one hundred thousand dollars, which amount shall be deducted from the sum paid by the United States for Seminole lands under the stipulations above written. The balance due the Seminole nation after making said deduction, amounting to one hundred thousand dollars, the United States agree

Payment by the United States.

Grant to the Seminoles.

Boundaries.

Payment therefor.

Balance due the Seminoles.

to pay in the following manner, to wit: Thirty thousand dollars shall be paid to enable the Seminoles to occupy, restore, and improve their farms, and to make their nation independent and self-sustaining, and shall be distributed for that purpose under the direction of the Secretary of the Interior; twenty thousand dollars shall be paid in like manner for the purpose of purchasing agricultural implements, seeds, cows, and other stock; fifteen thousand dollars shall be paid for the erection of a mill suitable to accommodate said nation of Indians; seventy thousand dollars to remain in the United States treasury, upon which the United States shall pay an annual interest of five per cent; fifty thousand of said sum of seventy thousand dollars shall be a permanent school fund, the interest of which shall be paid annually and appropriated to the support of schools; the remainder of the seventy thousand dollars, being twenty thousand dollars, shall remain a permanent fund, the interest of which shall be paid annually for the support of the Seminole government; forty thousand three hundred and sixty-two dollars shall be appropriated and expended for subsisting said Indians, discriminating in favor of the destitute; all of which amounts, excepting the seventy thousand dollars, to remain in the treasury as a permanent fund, shall be paid upon the ratification of said treaty, and disbursed in such manner as the Secretary of the Interior may direct. The balance, fifty thousand dollars, or so much thereof as may be necessary to pay the losses ascertained and awarded as hereinafter provided, shall be paid when said awards shall have been duly made and approved by the Secretary of the Interior. And in case said fifty thousand dollars shall be insufficient to pay all said awards, it shall be distributed pro rata to those whose claims are so allowed; and until said awards shall be thus paid, the United States agree to pay to said Indians, in such manner and for such purposes as the Secretary of the Interior may direct, interest at the rate of five per cent per annum from the date of the ratification of this treaty.

How to be paid.

ARTICLE IV. To reimburse such members of the Seminole nation as shall be duly adjudged to have remained loyal and faithful to their treaty relations to the United States, during the recent rebellion of the so-called confederate states, for the losses actually sustained by them thereby, after the ratification of this treaty, or so soon thereafter as the Secretary of the Interior shall direct, he shall appoint a board of commissioners, not to exceed three in number, who shall proceed to the Seminole country and investigate and determine said losses. Previous to said investigation the agent of the Seminole nation shall prepare a census or enumeration of said tribe, and make a roll of all Seminoles who did in no manner aid or abet the enemies of the government, but remained loyal during said rebellion; and no award shall be made by said commissioners for such losses unless the name of the claimant appear on said roll, and no compensation shall be allowed any person for such losses whose name does not appear on said roll, unless said claimant, within six months from the date of the completion of said roll, furnishes proof satisfactory to said board, or to the commissioner of Indian affairs, that he has at all times remained loyal to the United States, according to his treaty obligations. All evidence touching said claims shall be taken by said commissioners, or any of them, under oath, and their awards made, together with the evidence, shall be transmitted to the commissioner of Indian affairs, for his approval, and that of the Secretary of the Interior. Said commissioners shall be paid by the United States such compensation as the Secretary of the Interior may direct. The provisions of this article shall extend to and embrace the claims for losses sustained by loyal members of said tribe, irrespective of race or color, whether at the time of said losses the claimants shall have been in servitude or not; provided said claimants are made members of said tribe by the stipulations of this treaty.

Board of commissioners to determine losses sustained by loyal Seminoles.

Census of those loyal.

No compensation except to loyal Indians

Awards of commissioners.

Pay.

What claims for losses included.

ARTICLE V. The Seminole nation hereby grant a right of way through

Right of way for railroad granted through the land of the Seminoles.

their lands to any company which shall be duly authorized by Congress, and shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad from any point on their eastern to their western or southern boundary; but said railroad company, together with all its agents and employés, shall be subject to the laws of the United States relating to the intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior, for that purpose. And the Seminoles agree to sell to the United States, or any company duly authorized as aforesaid, such lands not legally owned or occupied by a member or members of the Seminole nation lying along the line of said contemplated railroad, not exceeding on each side thereof a belt or strip of land three miles in width, at such price per acre as may be eventually agreed upon between said Seminole nation and the party or parties building said road — subject to the approval of the President of the United States: *Provided, however*, That said land thus sold shall not be reconveyed, leased, or rented to, or be occupied by, any one not a citizen of the Seminole nation, according to its laws and recognized usages: *Provided, also*, That officers, servants, and employés of said railroad necessary to its construction and management shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian intercourse laws, and such rules and regulations as may be established by the Secretary of the Interior; nor shall any conveyance of said lands be made to the party building and managing said road, until its completion as a first-class railroad and its acceptance as such by the Secretary of the Interior.

Lands will be sold.

Proviso.

Agency buildings.

ARTICLE VI. Inasmuch as there are no agency buildings upon the new Seminole reservation, it is therefore further agreed that the United States shall cause to be constructed, at an expense not exceeding ten thousand ($10,000) dollars, suitable agency buildings, the site whereof shall be selected by the agent of said tribe, under the direction of the superintendent of Indian affairs; in consideration whereof, the Seminole nation hereby relinquish and cede forever to the United States one section of their lands, upon which said agency buildings shall be *directed* [erected], which land shall revert to said nation when no longer used by the United States, upon said nation paying a fair value for said buildings at the time vacated.

Seminoles agree to certain legislation.

ARTICLE VII. The Seminole nation agrees to such legislation as Congress and the President may deem necessary for the better administration of the rights of person and property within the Indian territory:

Proviso.

Provided, however, [That] said legislation shall not in any manner interfere with or annul their present tribal organization, rights, laws, privileges, and customs.

General council.

The Seminole nation also agree that a general council, consisting of delegates elected by each nation, a tribe lawfully resident within the Indian territory, may be annually convened in said territory, which council shall be organized in such manner and possess such powers as are hereinafter described: —

Census.

1st. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said council, a census or enumeration of each tribe lawfully resident in said territory shall be taken, under the direction of the superintendent of Indian affairs, who, for that purpose, is hereby authorized to designate and appoint competent persons, whose compensation shall be fixed by the Secretary of the Interior and paid by the United States.

First general council, how composed.

2d. The first general council shall consist of one member from each tribe, and an additional member for each one thousand Indians, or each fraction of a thousand greater than five hundred, being members of any tribe lawfully resident in said territory, and shall be elected by said tribes respectively who may assent to the establishment of said general council;

and if none should be thus formally selected by any nation or tribe, the said nation or tribe shall be represented in said general council by the chiefs and headmen of said tribes, to be taken in the order of their rank, in the same number and proportion as above indicated. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe the number of members of said council to which they shall be entitled under the provisions of this article; and the persons so entitled to represent said tribe shall meet at such time and place as he shall appoint; but thereafter the time and place of the sessions of said council shall be determined by its action: *Provided*, That no session in any one year shall exceed the term of thirty days, and provided that special sessions of said council may be called by said superintendent whenever, in his judgment, or that of the Secretary of the Interior, the interest of said tribes shall require.

Time and place of meeting.

Sessions not to exceed 30 days.

Special sessions.

3d. Said general council shall have power to legislate upon all rightful subjects and matters pertaining to the intercourse and relations of the Indian tribes and nations resident in said territory; the arrest and extradition of criminals and offenders escaping from one tribe to another; the administration of justice between members of the several tribes of said territory, and persons other than Indians and members of said tribes or nations; the construction of works of internal improvement and the common defence and safety of the nation of said territory. All laws enacted by said council shall take effect at such time as may therein be provided, unless suspended by direction of the Secretary of the Interior or the President of the United States. No law shall be enacted inconsistent with the Constitution of the United States, or the laws of Congress, or existing treaty stipulations with the United States; nor shall said council legislate upon matters pertaining to the organization, laws, or customs of the several tribes, except as herein provided for.

Powers of general council.

4th. Said council shall be presided over by the superintendent of Indian affairs, or, in case of his absence for any cause, the duties of said superintendent enumerated in this article shall be performed by such person as the Secretary of the Interior may direct.

Who to preside over council.

5th. The Secretary of the Interior shall appoint a secretary of said council, whose duty it shall be to keep an accurate record of all the proceedings of said council, and who shall transmit a true copy of all such proceedings, duly certified by the superintendent of Indian affairs, to the Secretary of the Interior immediately after the session of said council. He shall be paid out of the treasury of the United States an annual salary of five hundred dollars.

Secretary of council.

Pay.

6th. The members of said council shall be paid by the United States the sum of four dollars per diem during the time actually in attendance upon the sessions of said council, and at the rate of four dollars for every twenty miles necessarily travelled by them in going to said council and returning to their homes, respectively, to be certified by the secretary of the said council and the sup[erintenden]t of Indian affairs.

Pay of members.

7th. The Seminoles also agree that a court or courts may be established in said territory, with such jurisdiction and organized in such manner as Congress may by law provide.

Courts.

ARTICLE VIII. The stipulations of this treaty are to be a full settlement of all claims of said Seminole nation for damages and losses of every kind growing out of the late rebellion, and all expenditures by the United States of annuities in clothing and feeding refugee and destitute Indians since the diversion of annuities for that purpose, consequent upon the late war with the so-called confederate states. And the Seminoles hereby ratify and confirm all such diversions of annuities heretofore made from the funds of the Seminole nation by the United States. And the United States agree that no annuities shall be diverted from the objects for which they were originally devoted by treaty stipulations with the Seminoles,

This treaty to be a full settlement of all claims.

Diversions of annuities.

to the use of refugee and destitute Indians, other than the Seminoles or members of the Seminole nation, after the close of the present fiscal year, June thirtieth, eighteen hundred and sixty-six.

Treaty obligations reaffirmed.

ARTICLE IX. The United States reaffirms and reassumes all obligations of treaty stipulations entered into before the treaty of said Seminole nation with the so-called confederate states, August first, eighteen hundred and sixty-one, not inconsistent herewith; and further agree to renew all payments of annuities accruing by force of said treaty stipulations, from and after the close of the present fiscal year, June thirtieth, in the year of our Lord one thousand eight hundred and sixty-six, except as is provided in article eight (viii).

Land granted for missionary or educational purposes;

ARTICLE X. A quantity of land not exceeding six hundred and forty acres, to be selected according to legal subdivisions, in one body, and which shall include their improvements, is hereby granted to every religious society or denomination which has erected, or which, with the consent of the Indians, may hereafter erect, buildings within the Seminole country for missionary or educational purposes; but no land thus granted, nor the buildings which have been or may be erected thereon, shall ever be sold or otherwise disposed of except with the consent and approval of the Secretary of the Interior. And whenever any such land or buildings shall be so sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefit of the Seminoles and such other persons as may be, or may hereafter become, members of the tribe according to its laws, customs, and usages.

not to be sold, except, &c.

When sold, proceeds to be how applied.

Inconsistent treaty provisions annulled.

ARTICLE XI. It is further agreed that all treaties heretofore entered into between the United States and the Seminole nation which are inconsistent with any of the articles or provisions of this treaty shall be, and are hereby, rescinded and annulled.

Execution.

In testimony whereof, the said Dennis N. Cooley, Commissioner of Indian affairs, Elijah Sells, superintendent of Indian affairs, and Col. Ely S. Parker, as aforesaid, and the undersigned, persons representing the Seminole nation, have hereunto set their hands and seals the day and year first above written.

DENNIS N. COOLEY, [SEAL.]
Commissioner of Indian Affairs.
ELIJAH SELLS, [SEAL.]
Superintendent Indian Affairs.
COL. ELY S. PARKER, [SEAL.]
Special Commissioner.
JOHN CHUP-CO, his x mark, [SEAL.]
King or Head Chief.
CHO-COTE-HARJO, his x mark, [SEAL.]
Counsellor.
FOS-HARJO, his x mark, [SEAL.]
Chief.
JOHN F. BROWN, [SEAL.]
Special Delegate for Southern Seminoles.

In presence of —

ROBERT JOHNSON, his x mark,
U. S. Interpreter for Seminole Indians.
GEO. A. REYNOLDS,
U. S. Indian Agent for Seminoles.
OK-TUS-SUS-HAR-JO, his x mark, or SANDS.
COW-E-TO-ME-KO, his x mark.
CHE-CHU-CHEE, his x mark.
HARRY ISLAND, his x mark,
U. S. Interpreter for Creek Indians.

J. W. DUNN,
U. S. Indian Agent for the Creek Nation.
PERRY FULLER.

Signed by John F. Brown, special delegate for Southern Seminoles, in presence of, this June thirtieth, eighteen hundred and sixty-six —
W. R. IRWIN.
J. M. TEBBETTS.
GEO. A. REYNOLDS, *U. S. Indian Agent.*
ROBERT JOHNSON, his x mark, *U. S. Interpreter.*

Ratification.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the nineteenth day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.
July 19, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Washington, D. C., March twenty-first, in the year of our Lord one thousand eight hundred and sixty-six, between the Commissioners on the part of the United States and the Seminole Indians.
Attest: J. W. FORNEY, *Secretary.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the nineteenth of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty.

Done at the city of Washington this sixteenth day of August, 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.

Supplemental Article to the Treaty of November 15, 1861, *between the United States of America and the Pottawatomie Tribe of Indians; Concluded March* 29, 1866; *Ratification advised April* 26, 1866; *Proclaimed May* 5, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, March 29, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble. Whereas a supplemental article to the treaty between the United States of America and the Pottawatomie Nation of Indians, of the fifteenth of November, one thousand eight hundred and sixty-one, was made and concluded at the city of Washington, in the District of Columbia, on the twenty-ninth day of March, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley, Commissioner, on the part of the United States, and J. N. Bourassa, U. F. Navane, and B. N. Bertrand, Business Committee, on the part of said nation of Indians, and duly authorized thereto by them, which supplemental article is in the words and figures following, to wit: — Vol. xii. p. 1191.

Contracting parties. Whereas certain amendments are desired by the Pottawatomie Indians to their treaty concluded at the Pottawatomie Agency on the fifteenth day of November, A. D. 1861, and amended by resolution of the Senate of the United States dated April the fifteenth, A. D. 1862; and whereas the United States are willing to assent to such amendments, it is therefore agreed by and between Dennis N. Cooley, Commissioner, on the part of the United States, thereunto duly authorized, and the undersigned Business Committee, acting on behalf of said tribe, and being thereunto duly authorized, in manner and form following, that is to say: —

Provisions of third article of former treaty extended to all adult persons of the tribe. ARTICLE I. The beneficial provisions in behalf of the more prudent and intelligent members of said tribe, contained in the third article of the amended treaty above recited, shall not hereafter be confined to males and heads of families, but the same shall be and are hereby extended to all adult persons of said tribe without distinction of sex, whether such persons are or shall be heads of families or otherwise, in the same manner, to the same extent, and upon the same terms, conditions, and stipulations as are contained in said third article of said treaty with reference to "males and heads of families."

Execution. In testimony whereof the said parties by their Commissioner and Business Committee aforesaid have hereunto set their hands and seals at Washington City, District of Columbia, this 29th day of March, in the year of our Lord one thousand eight hundred and sixty-six.

DENNIS N. COOLEY, [SEAL.]
Commissioner.

J. N. BOURASSA, [SEAL.]
U. F. NAVANE, [SEAL.]
B. N. BERTRAND, [SEAL.]
Business Committee.

Signed in presence of—

L. R. PALMER,
JAMES STEELE.

Ratification. And whereas the said supplemental article having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-sixth day of April, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.
April 26, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the supplemental article to the Pottawatomie treaty of November 15, 1861, concluded on the 29th of March, 1866.

Attest: J. W. FORNEY, *Secretary.*

Proclaimed. Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-sixth of April, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said supplemental article of treaty as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this fifth day of May, in the year of our Lord one thousand eight hundred and sixty-six,
[SEAL.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Bois Forte Band of Chippewa Indians; Concluded April 7, 1866; Ratification advised, with Amendment, April 26, 1866; Amendment accepted April 28, 1866; Proclaimed May 5, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, April 7, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble. WHEREAS a treaty was made and concluded at the city of Washington, in the District of Columbia, on the seventh day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley and E. E. L. Taylor, Commissioners, on the part of the United States, and Gabeshcodaway or Going through the Prairie, Babawmadjeweshcang or Mountain Traveller, and others, chiefs, headmen, and warriors of the Bois Forte Band of Chippewa Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Contracting parties. ARTICLES OF A TREATY made and concluded at Washington, District of Columbia, this seventh day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between the United States, party of the first part, by their Commissioners, D. N. Cooley, Commissioner of Indian Affairs, and E. E. L. Taylor, thereunto duly authorized, and the Bois Forte band of Chippewa Indians, parties of the second part, by the undersigned chiefs, headmen, and warriors of said bands, thereunto duly authorized.

Peace and friendship. ARTICLE I. The peace and friendship now existing between the United States and said Bois Forte bands of Indians shall be perpetual.

Cession of lands to the United States. ARTICLE II. In consideration of the agreements, stipulations, and undertakings to be performed by the United States, and hereinafter expressed, the Bois Forte bands of Chippewas have agreed to, and do hereby, cede and forever relinquish and surrender to the United States all their right, title, claim, and interest in and to all lands and territory heretofore claimed, held, or possessed by them, and lying east of the boundary line mentioned and established in and by the first article of the treaty made and concluded by and between the United States of the one part, and the Chippewas of Lake Superior and the Mississippi of the other part, on the 30th day of September, A. D. 1854, and more especially in and to all that portion of said territory heretofore claimed and occupied by them at and near Lake Vermillion as a reservation. The Bois Forte band of Chippewas in like mannner cede and relinquish forever to the United States all their claim, right, title, and interest in and to all lands and territory lying westwardly of said boundary line, or elsewhere within the limits of the United States.

Boundaries. Vol. x. p. 1109.

The United States to set apart a reservation. ARTICLE III. In consideration of the foregoing cession and relinquishment, the United States agree to and will perform the stipulations, undertakings, and agreements following, that is to say: —

1st. There shall be set apart within one year after the date of the ratification of this treaty, under the direction of the President of the

United States, within the Chippewa country, for the perpetual use and occupancy of said Bois Forte band of Chippewas, a tract of land of not less than one hundred thousand acres, the said location to include a lake known by the name of Netor As-sab-a-co-na, if, upon examination of the country by the agent sent by the President of the United States to select the said reservation, it is found practicable to include the said lake therein, and also one township of land on the Grand Fork river, at the mouth of Deer creek, if such location shall be found practicable.

The United States to erect shop, school-house, houses for chiefs, and other buildings;

2d. The United States will as soon as practicable after the setting apart of the tract of country first above mentioned, erect thereon without expense to said Indians, one blacksmith's shop, to cost not exceeding five hundred dollars; one school-house to cost not exceeding five hundred dollars; and eight houses for their chiefs, to cost not exceeding four hundred dollars each; and a building for an agency house and storehouse for the storage of goods and provisions, to cost not exceeding two thousand dollars.

to pay annuities for twenty years.

Objects of annuities.

3d. The United States will expend annually for and in behalf of said Bois Forte band of Chippewas, for and during the term of twenty years from and after the ratification of this treaty, the several sums and for the purposes following, to wit: For the support of one blacksmith and assistant, and for tools, iron, and steel, and other articles necessary for the blacksmith's shop, fifteen hundred dollars; for one school-teacher, and the necessary books and stationery for the school, eight hundred dollars, the chiefs in council to have the privilege of selecting, with the approval of the Secretary of the Interior, the religious denomination to which the said teacher shall belong; for instructions of the said Indians in farming, and the purchase of seeds, tools, &c., for that purpose, eight hundred dollars; and for annuity payments, the sum of eleven thousand dollars, three thousand five hundred dollars of which shall be paid to them in money per capita, one thousand dollars in provisions, ammunition, and tobacco, and six thousand five hundred dollars to be distributed to them in goods and other articles suited to their wants and condition.

Payment of $50,000 to Indians.
Amendment.
Post, p. 767.

ARTICLE IV. To enable the chiefs, headmen, and warriors now present to establish their people upon the new reservation, and to purchase useful articles and presents for their people, the United States agree to pay to them, upon the ratification of this treaty, the sum of fifty thousand dollars, to be expended under the direction of the Secretary of the Interior.

Grant of lands to certain persons for services.

ARTICLE V. In consideration of the services heretofore rendered to the said Indians by Francis Roussaire, senior, Francis Roussaire, jr., and Peter E. Bradshaw, it is hereby agreed that the said persons shall each have the right to select one hundred and sixty acres of land, not mineral lands, and to receive patents therefor from the United States; and for the like services to the Indians, the following-named persons, to wit: Peter Roy, Joseph Gurnoe, Francis Roy, Vincent Roy, Eustace Roussaire, and D. George Morrison shall each have the right to select eighty acres of land, not mineral lands, and to receive from the United States patents therefor.

Annuities to be paid upon the reservation, if, &c.

ARTICLE VI. It is further agreed that all payments of annuities to the Bois Forte band of Chippewas shall be made upon their reservation if, upon examination, it shall be found practicable to do so.

Inconsistent provisions of former treaties abrogated.

ARTICLE VII. It is agreed by and between the parties hereto that upon the ratification of this treaty all former treaties existing between them inconsistent herewith shall be, and the same are hereby, abrogated and made void to all intents and purposes; and the said Indians hereby relinquish any and all claims for arrears of payments claimed to be due under such treaties, or that are hereafter to fall due under the provisions of the same; except that as to the third clause of the 12th article of the treaty of Sept. 30th, 1854, providing for a blacksmith, smithshop, sup-

Part of treaty of Sept. 30, 1854,

plies, and instructions in farming, the same shall continue in full force and effect, but the benefits thereof shall be transferred to the Chippewas of Lake Superior. to remain in full force. Vol. x. p. 1110.

ARTICLE VIII. The United States also agree to pay the necessary expenses of transportation and subsistence of the delegates who have visited Washington for the purpose of negotiating this treaty, not exceeding the sum of ten thousand dollars. Payment of expenses of delegation to Washington.

In testimony whereof, the undersigned, Commissioners on behalf of the United States, and the delegates on behalf of the Bois Forte band of Chippewas, have hereunto set their hands and seals the day and year first above written.

D. N. COOLEY, *Com'r of Ind. Affairs.* [L. S.]
E. E. L. TAYLOR, *Special Com'r.* [L. S.]

GABESHCODAWAY, or Going through the Prairie, his x mark. [L. S.]
BABAWMADJEWESHCANG, or Mountain Traveller, his x mark. [L. S.]
ADAWAWNEQUABENACE, or Twin-haired Bird, his x mark. [L. S.]
SAGWADACAMEGISHCANG, or He who Tries the Earth, his x mark. [L. S.]
NEONING, or The Four Fingers, his x mark. [L. S.]
WABAWGAMAWGAU, or The Tomahawk, his x mark. [L. S.]
GANAWAWBAMINA, or He who is Looked at, his x mark. [L. S.]
GAWNANDAWAWINZO, or Berry Hunter, his x mark. [L. S.]
ABETANG, or He who Inhabits. his x mark. [L. S.]

In presence of—

LUTHER E. WEBB, [L. S.]
U. S. Indian Agent for Chippewas, Lake Superior.
JOSEPH D. GURNOE, [L. S.]
U. S. Interpreter, Lake Superior.
J. C. RAMSEY.
BENJ'N THOMPSON.
PETER ROY.
D. GEO. MORRISON.
VINCENT ROY, Jr.
W. H. WATSON.
[L. S.]

And whereas the said treaty, having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-sixth day of April, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, in the words and figures following, to wit:— Ratification with amendment.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
April 26, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Washington, District of Columbia, the seventh day of April, 1866, between the United States and the Bois Forte band of Chippewa Indians, with the following

AMENDMENT:

Article IV., line 4, strike out the word "fifty," and insert in lieu thereof the word *thirty*. *Ante*, p. 766.

Attest: J. W. FORNEY, *Secretary.*

Amendment accepted.

And whereas the foregoing amendment having been fully explained and interpreted to the chiefs, headmen, and warriors of the Bois Forte Band of Chippewa Indians whose names are subscribed to the writing hereto following, they did, on the twenty-eighth day of April, one thousand eight hundred and sixty-six, give their free and voluntary assent to said amendment in the words and figures following, to wit: —

Whereas the Senate of the United States has advised and consented to the ratification of the treaty made on the seventh day of April, 1866, with the Bois Forte band of Chippewa Indians, with the following amendment, to wit: —

"In article IV. of said treaty, line 4, strike out the word 'fifty,' and insert in lieu thereof the word *thirty*."

Now, therefore, we, the chiefs, headmen, and warriors of the said Bois Forte band, duly authorized by our people, do hereby assent and agree to the said amendment above written, the same having been interpreted to us, and being fully understood by us.

Witness our hands and seals this 28th day of April, A. D. 1866, at Washington, D. C.

GABESHCODAWAY, his x mark.	[L. S.]
BABAWMADJEWESHCANG, his x mark.	[L. S.]
ADAWAWNEQUABENACE, his x mark.	[L. S.]
GAGWADACAMEGISHCANG, his x mark.	[L. S.]
WABAWGAMAWGAU, his x mark.	[L. S.]
GANAWAWBAMINA, his x mark.	[L. S.]
GAWNANDAWAWINZO, his x mark.	[L. S.]
ABETANG, his x mark.	[L. S.]

Witness: —

JOSEPH D. GURNOE, [L. S.] *U. S. Interpreter.*
D. N. COOLEY, [L. S.] *Com'r Ind. Affairs.*
L. E. WEBB, *U. S. Indian Agent.*
J. C. RAMSEY.

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-sixth of April, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

In testimony whereof, I have signed my name, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this fifth day of May, in the year of our Lord one thousand eight hundred and sixty-six, [SEAL.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Choctaw and Chickasaw Indians; Concluded April 28, 1866; *Ratification advised, with Amendments, June* 28, 1866; *Amendments accepted July* 2, 1866; *Proclaimed July* 10, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, April 28, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble. WHEREAS a treaty was made and concluded at the city of Washington, in the District of Columbia, on the twenty-eighth day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley, Elijah Sells, and E. S. Parker, Commissioners, on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, Commissioners, on the part of the Choctaw nation of Indians, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, Commissioners, on the part of the Chickasaw nation of Indians, all of which Commissioners were duly authorized thereto, which treaty is in the words and figures following, to wit:—

Contracting parties. ARTICLES OF AGREEMENT AND CONVENTION between the United States and the Choctaw and Chickasaw nations of Indians, made and concluded at the city of Washington the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis N. Cooley, Elijah Sells, and E. S. Parker, Special Commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, Commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, Commissioners on the part of the Chickasaws.

Peace and friendship. ARTICLE I. Permanent peace and friendship are hereby established between the United States and said nations; and the Choctaws and Chickasaws do hereby bind themselves respectively to use their influence and to make every exertion to induce Indians of the plains to maintain peaceful relations with each other, with other Indians, and with the United States.

Slavery and involuntary servitude to cease. ARTICLE II. The Choctaws and Chickasaws hereby covenant and agree that henceforth neither slavery nor involuntary servitude, otherwise than in punishment of crime whereof the parties shall have been duly convicted, in accordance with laws applicable to all members of the particular nation, shall ever exist in said nations.

Cession of the leased district to the United States. ARTICLE III. The Choctaws and Chickasaws, in consideration of the sum of three hundred thousand dollars, hereby cede to the United States the territory west of the 98° west longitude, known as the leased district, provided that the said sum shall be invested and held by the United States, at an interest not less than five per cent, in trust for the said nations, until the legislatures of the Choctaw and Chickasaw nations respectively shall have made such laws, rules, and regulations as may be necessary to give all persons of African descent, resident in the said nations at the date of the treaty of Fort Smith, and their descendants, heretofore held in slavery among said nations, all the rights, privileges, and immunities, including the right of suffrage, of citizens of said

Purchase money to be invested by the United States and held in trust until, &c.

nations, except in the annuities, moneys, and public domain claimed by, or belonging to, said nations respectively; and also to give to such persons who were residents as aforesaid, and their descendants, forty acres each of the land of said nations on the same terms as the Choctaws and Chickasaws, to be selected on the survey of said land, after the Choctaws and Chickasaws and Kansas Indians have made their selections as herein provided; and immediately on the enactment of such laws, rules, and regulations, the said sum of three hundred thousand dollars shall be paid to the said Choctaw and Chickasaw nations in the proportion of three fourths to the former and one fourth to the latter, — less such sum, at the rate of one hundred dollars per capita, as shall be sufficient to pay such persons of African descent before referred to as within ninety days after the passage of such laws, rules, and regulations shall elect to remove and actually remove from the said nations respectively. And should the said laws, rules, and regulations not be made by the legislatures of the said nations respectively, within two years from the ratification of this treaty, then the said sum of three hundred thousand dollars shall cease to be held in trust for the said Choctaw and Chickasaw nations, and be held for the use and benefit of such of said persons of African descent as the United States shall remove from the said territory in such manner as the United States shall deem proper, — the United States agreeing, within ninety days from the expiration of the said two years, to remove from said nations all such persons of African descent as may be willing to remove; those remaining or returning after having been removed from said nations to have no benefit of said sum of three hundred thousand dollars, or any part thereof, but shall be upon the same footing as other citizens of the United States in the said nations.

Rights of negroes and freedmen.

ARTICLE IV. The said nations further agree that all negroes, not otherwise disqualified or disabled, shall be competent witnesses in all civil and criminal suits and proceedings in the Choctaw and Chickasaw courts, any law to the contrary notwithstanding; and they fully recognize the right of the freedmen to a fair remuneration on reasonable and equitable contracts for their labor, which the law should aid them to enforce. And they agree, on the part of their respective nations, that all laws shall be equal in their operation upon Choctaws, Chickasaws, and negroes, and that no distinction affecting the latter shall at any time be made, and that they shall be treated with kindness and be protected against injury; and they further agree, that while the said freedmen, now in the Choctaw and Chickasaw nations, remain in said nations, respectively, they shall be entitled to as much land as they may cultivate for the support of themselves and families, in cases where they do not support themselves and families by hiring, not interfering with existing improvements without the consent of the occupant, it being understood that in the event of the making of the laws, rules, and regulations aforesaid, the forty acres aforesaid shall stand in place of the land cultivated as last aforesaid.

Amnesty for past offences.

ARTICLE V. A general amnesty of all past offences against the laws of the United States, committed before the signing of this treaty by any member of the Choctaw or Chickasaw nations, is hereby declared; and the United States will especially request the States of Missouri, Kansas, Arkansas, and Texas to grant the like amnesty as to all offences committed by any member of the Choctaw or Chickasaw nation. And the Choctaws and Chickasaws, anxious for the restoration of kind and friendly feelings among themselves, do hereby declare an amnesty for all past offences against their respective governments, and no Indian or Indians shall be proscribed, or any act of forfeiture or confiscation passed against those who may have remained friendly to the United States, but they shall enjoy equal privileges with other members of said tribes, and all laws heretofore passed inconsistent herewith are hereby declared inoperative.

Amendment.
Post, p. 782.

Right of way through their country for railroads.

ARTICLE VI. The Choctaws and Chickasaws hereby grant a right of way through their lands to any company or companies which shall be duly authorized by Congress, or by the legislatures of said nations, respectively, and which shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad through the Choctaw and Chickasaw nations from the north to the south thereof, and from the east to the west side thereof, in accordance with the provisions of the 18th article of the treaty of June twenty-second, one thousand eight hundred and fifty-five, which provides that for any property taken or destroyed in the construction thereof full compensation shall be made to the party or parties injured, to be ascertained and determined in such manner as the President of the United States shall direct. But such railroad company or companies, with all its or their agents and employés shall be subject to the laws of the United States relating to intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior for that purpose. And it is also stipulated and agreed that the nation through which the road or roads aforesaid shall pass may subscribe to the stock of the particular company or companies such amount or amounts as they may be able to pay for in alternate sections of unoccupied lands for a space of six miles on each side of said road or roads, at a price per acre to be agreed upon between said Choctaw and Chickasaw nations and the said company or companies, subject to the approval of the President of the United States: *Provided, however*, That said land, thus subscribed, shall not be sold, or demised, or occupied by any one not a citizen of the Choctaw or Chickasaw nations, according to their laws and recognized usages: *Provided*, That the officers, servants, and employés of such companies necessary to the construction and management of said road or roads shall not be excluded from such occupancy as their respective functions may require, they being subject to the provisions of the Indian intercourse law and such rules and regulations as may be established by the Secretary of the Interior: *And provided also*, That the stock thus subscribed by either of said nations shall have the force and effect of a first mortgage bond on all that part of said road, appurtenances, and equipments situated and used within said nations respectively, and shall be a perpetual lien on the same, and the said nations shall have the right, from year to year, to elect to receive their equitable proportion of declared dividends of profits on their said stock, or interest on the par value at the rate of six per cent per annum.

Vol. xi. p. 614.

Damages.

Companies subject to laws, &c.

Indians may subscribe to stock.

Provisos.

When companies to be entitled to patents for the lands.

2. And it is further declared, in this connection, that as fast as sections of twenty miles in length are completed, with the rails laid ready for use, with all water and other stations necessary to the use thereof, as a first class road, the said company or companies shall become entitled to patents for the alternate sections aforesaid, and may proceed to dispose thereof in the manner herein provided for, subject to the approval of the Secretary of the Interior.

Other lands may be selected in lieu of occupied sections.

3. And it is further declared, also, in case of one or more of said alternate sections being occupied by any member or members of said nations respectively, so that the same cannot be transferred to the said company or companies, that the said nation or nations, respectively, may select any unoccupied section or sections, as near as circumstances will permit, to the said width of six miles on each side of said road or roads, and convey the same as an equivalent for the section or sections so occupied as aforesaid.

Legislation by Congress for rights of persons and property.

ARTICLE VII. The Choctaws and Chickasaws agree to such legislation as Congress and the President of the United States may deem necessary for the better administration of justice and the protection of the rights of person and property within the Indian territory: *Provided, however*, Such legislation shall not in any wise interfere with or annul their present tribal organization, or their respective legislatures or judiciaries,

or the rights, laws, privileges, or customs of the Choctaws and Chickasaw nations respectively.

A council to be convened annually.

ARTICLE VIII. The Choctaws and Chickasaw also agree that a council, consisting of delegates elected by each nation or tribe lawfully resident within the Indian territory, may be annually convened in said territory to be organized as follows:—

Census of the tribes to be taken.

1. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said assembly, a census of each tribe, lawfully resident in said territory, shall be taken, under the direction of the superintendent of Indian affairs, by competent persons, to be appointed by him, whose compensation shall be fixed by the Secretary of the Interior and paid by the United States.

Council to consist of whom

2. The council shall consist of one member from each tribe or nation whose population shall exceed five hundred, and an additional member for each one thousand Indians, native or adopted, or each fraction of a thousand greater than five hundred being members of any tribe lawfully resident in said territory, and shall be selected by the tribes or nations respectively who may assent to the establishment of said general assembly; and if none should be thus formally selected by any nation or tribe, it shall be represented in said general assembly by the chief or chiefs and headmen of said tribes, to be taken in the order of their rank as recognized in tribal usage in the number and proportions above indicated.

Members to which each tribe is entitled.

3. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe the number of members of said council to which they shall be entitled under the provisions of this article; and the persons so to represent the said tribes shall meet at such time and place as he shall designate, but thereafter the time and place of the sessions of the general assembly shall be determined by itself: *Provided*, That no session in any one year shall exceed the term of thirty days, and provided that the special sessions may be called whenever, in the judgment of the Secretary of the Interior, the interests of said tribes shall require it.

Time and place of meeting.

Length of session and special sessions.

Power of general assembly.

4. The general assembly shall have power to legislate upon all subjects and matters pertaining to the intercourse and relations of the Indian tribes and nations resident in the said territory, the arrest and extradition of criminals escaping from one tribe to another, the administration of justice between members of the several tribes of the said territory, and persons other than Indians and members of said tribes or nations, the construction of works of internal improvement, and the common defence and safety of the nations of the said territory. All laws enacted by said council shall take effect at the times therein provided, unless suspended by the Secretary of the Interior or the President of the United States. No law shall be enacted inconsistent with the Constitution of the United States or the laws of Congress or existing treaty stipulations with the United States; nor shall said council legislate upon matters pertaining to the legislative, judicial, or other organization, laws, or customs of the several tribes or nations except as herein provided for.

President of council.

5. Said council shall be presided over by the superintendent of Indian affairs, or, in case of his absence from any cause, the duties of the superintendent enumerated in this article shall be performed by such person as the Secretary of the Interior shall indicate.

Secretary.

Duty and pay.

6. The Secretary of the Interior shall appoint a secretary of said council, whose duty it shall be to keep an accurate record of all the proceedings of said council, and to transmit a true copy thereof, duly certified by the superintendent of Indian affairs, to the Secretary of the Interior immediately after the sessions of said council shall terminate. He shall be paid five hundred dollars, as an annual salary, by the United States.

7. The members of the said council shall be paid by the United States

four dollars per diem while in actual attendance thereon, and four dollars mileage for every twenty miles going and returning therefrom by the most direct route, to be certified by the secretary of said council and the presiding officer. Pay and mileage of members.

8. The Choctaws and Chickasaws also agree that a court or courts may be established in said territory with such jurisdiction and organization as Congress may prescribe: *Provided*, That the same shall not interfere with the local judiciary of either of said nations. Courts may be established.

9. Whenever Congress shall authorize the appointment of a delegate from said territory, it shall be the province of said council to elect one from among the nations represented in said council. Delegate from the territory.

10. And it is further agreed that the superintendent of Indian affairs shall be the executive of the said territory, with the title of "governor of the Territory of Oklahoma," and that there shall be a secretary of the said territory, to be appointed by the said superintendent; that the duty of the said governor, in addition to those already imposed on the superintendent of Indian affairs, shall be such as properly belong to an executive officer charged with the execution of the laws, which the said council is authorized to enact under the provisions of this treaty; and that for this purpose he shall have authority to appoint a marshal of said territory and an interpreter; the said marshal to appoint such deputies, to be paid by fees, as may be required to aid him in the execution of his proper functions; and be the marshal of the principal court of said territory that may be established under the provisions of this treaty. Superintendent of Indian affairs to be the executive. Title and duties. Marshal.

11. And the said marshal and the said secretary shall each be entitled to a salary of five hundred dollars per annum, to be paid by the United States, and such fees in addition thereto as shall be established by said governor, with the approbation of the Secretary of the Interior; it being understood that the said fee lists may at any time be corrected and altered by the Secretary of the Interior, as the experience of the system proposed herein to be established shall show to be necessary, and shall in no case exceed the fees paid to marshals of the United States for similar services. Salary of marshal and secretary.

The salary of the interpreter shall be five hundred dollars, to be paid in like manner by the United States. Salary of interpreter.

12. And the United States agree that in the appointment of marshals and deputies, preference, qualifications being equal, shall be given to competent members of the said nations, the object being to create a laudable ambition to acquire the experience necessary for political offices of importance in the respective nations. Appointment of marshals and deputies.

13. And whereas it is desired by the said Choctaw and Chickasaw nations that the said council should consist of an upper and lower house, it is hereby agreed that whenever a majority of the tribes or nations represented in said council shall desire the same, or the Congress of the United States shall so prescribe, there shall be, in addition to the council now provided for, and which shall then constitute the lower house, an upper house, consisting of one member from each tribe entitled to representation in the council now provided for — the relations of the two houses to each other being such as prevail in the States of the United States; each house being authorized to choose its presiding officer and clerk to perform the duties appropriate to such offices; and it being the duty, in addition, of the clerks of each house to make out and transmit to the territorial secretary fair copies of the proceedings of the respective houses immediately after their respective sessions, which copies shall be dealt with by the said secretary as is now provided in the case of copies of the proceedings of the council mentioned in this act, and the said clerks shall each be entitled to the same per diem as members of the respective houses, and the presiding officers to double that sum. Provision for an upper house of the council

ARTICLE IX. Such sums of money as have, by virtue of treaties existing in the year eighteen hundred and sixty-one, been invested for the Certain sums invested to remain so invested.

purposes of education, shall remain so invested, and the interest thereof, including any arrears which may have accrued, shall be applied for the same purposes, in such manner as shall be designated by the legislative authorities of the Choctaw and Chickasaw nations respectively.

Amendment. *Post*, p. 782.

Treaty obligations, &c. reaffirmed, and payment of annuities to be renewed.

ARTICLE X. The United States reaffirms all obligations arising out of treaty stipulations or acts of legislation with regard to the Choctaw and Chickasaw nations, entered into prior to the late rebellion, and in force at that time, not inconsistent herewith; and further agrees to renew the payment of all annuities and others moneys accruing under such treaty stipulations and acts of legislation, from and after the close of the fiscal year ending on the thirtieth of June, in the year eighteen hundred and sixty-six.

Survey and division of lands in severalty.

ARTICLE XI. Whereas the land occupied by the Choctaw and Chickasaw nations, and described in the treaty between the United States and said nations, of June twenty-second, eighteen hundred and fifty-five, is now held by the members of said nations in common, under the provisions of the said treaty; and whereas it is believed that the holding of said land in severalty will promote the general civilization of said nations, and tend to advance their permanent welfare and the best interests of their individual members, it is hereby agreed that, should the Choctaw and Chickasaw people, through their respective legislative councils, agree to the survey and dividing their land on the system of the United States, the land aforesaid east of the ninety-eighth degree of west longitude shall be, in view of the arrangements hereinafter mentioned, surveyed and laid off in ranges, townships, sections, and parts of sections; and that for the purpose of facilitating such surveys and for the settlement and distribution of said land as hereinafter provided, there shall be established at Boggy Depot, in the Choctaw territory, a land office; and that, in making the said surveys and conducting the business of the said office, including the appointment of all necessary agents and surveyors, the same system shall be pursued which has heretofore governed in respect to the public lands of the United States, it being understood that the said surveys shall be made at the cost of the United States and by their agents and surveyors, as in the case of their own public lands, and that the officers and employés shall receive the same compensation as is paid to officers and employés in the land offices of the United States in Kansas.

Land office established at Boggy Depot.

Maps of surveys to exhibit actual occupancies, &c.

ARTICLE XII. The maps of said surveys shall exhibit, as far as practicable, the outlines of the actual occupancy of members of the said nations, respectively; and when they are completed, shall be returned to the said land office at Boggy Depot for inspection by all parties interested, when notice for ninety days shall be given of such return, in such manner as the legislative authorities of the said nations, respectively, shall prescribe, or, in the event of said authorities failing to give such notice in a reasonable time, in such manner as the register of said land office shall prescribe, calling upon all parties interested to examine said maps to the end that errors, if any, in the location of such occupancies, may be corrected.

Notice to parties interested to examine the maps.

ARTICLE XIII. The notice required in the above article shall be given, not only in the Choctaw and Chickasaw nations, but by publication in newspapers printed in the States of Mississippi and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to the end that such Choctaws and Chickasaws as yet remain outside of the Choctaw and Chickasaw nations, may be informed and have opportunity to exercise the rights hereby given to resident Choctaws and Chickasaws: *Provided*, That before any such absent Choctaw or Chickasaw shall be permitted to select for him or herself, or others, as hereinafter provided, he or she shall satisfy the register of the land office of his or her intention, or the intention of the party for whom the selection is to be made, to become bona fide resident in the said nation within five years from the time of selection; and should the said absentee fail to remove into said nation, and occupy and commence an improvement on the land selected within the time aforesaid, the said selection shall be can-

celled, and the land shall thereafter be discharged from all claim on account thereof.

Lands may be selected for seats of justice, for schools, seminaries and colleges.

ARTICLE XIV. At the expiration of the ninety days aforesaid the legislative authorities of the said nations, respectively, shall have the right to select one quarter-section of land in each of the counties of said nations respectively, in trust for the establishment of seats of justice therein, and also as many quarter-sections as the said legislative councils may deem proper for the permanent endowment of schools, seminaries, and colleges in said nation, provided such selection shall not embrace or interfere with any improvement in the actual occupation of any member of the particular nation without his consent; and provided the proceeds of sale of the quarter-sections selected for seats of justice shall be appropriated for the erection or improvement of public buildings in the county in which it is located.

Each Indian to have a right to one quarter-section of land.

Actual occupant.

Infants.

ARTICLE XV. At the expiration of the ninety days' notice aforesaid, the selection which is to change the tenure of the land in the Choctaw and Chickasaw nations from a holding in common to a holding in severalty shall take place, when every Choctaw and Chickasaw shall have the right to one quarter-section of land, whether male or female, adult or minor, and if in actual possession or occupancy of land improved or cultivated by him or her, shall have a prior right to the quarter-section in which his or her improvement lies; and every infant shall have selected for him or her a quarter-section of land in such location as the father of such infant, if there be a father living, and if no father living, then the mother or guardian, and should there be neither father, mother, nor guardian, then as the probate judge of the county, acting for the best interest of such infant, shall select.

Actual occupant, prior to surveys, may abandon his improvements and select other land.

Proviso.

ARTICLE XVI. Should an actual occupant of land desire, at any time prior to the commencement of the surveys aforesaid, to abandon his improvement, and select and improve other land, so as to obtain the prior right of selection thereof, he or she shall be at liberty to do so; in which event the improvement so abandoned shall be open to selection by other parties: *Provided*, That nothing herein contained shall authorize the multiplication of improvements so as to increase the quantity of land beyond what a party would be entitled to at the date of this treaty.

Occupation by missionaries of missionary establishments not to be interfered with.

ARTICLE XVII. No selection to be made under this treaty shall be permitted to deprive or interfere with the continued occupation, by the missionaries established in the respective nations, of their several missionary establishments; it being the wish of the parties hereto to promote and foster an influence so largely conducive to civilization and refinement.

Rights of certain missionaries.

Should any missionary who has been engaged in missionary labor for five consecutive years before the date of this treaty in the said nations, or either of them, or three consecutive years prior to the late rebellion, and who, if absent from the said nations, may desire to return, wish to select a quarter-section of land with a view to a permanent home for himself and family, he shall have the privilege of doing so, provided no selection shall include any public buildings, schools or seminary; and a quantity of land not exceeding six hundred and forty acres, to be selected according to legal subdivisions in one body, and to include their improvements, is hereby granted to every religious society or denomination which has erected, or which, with the consent of the Indians, may hereafter erect buildings within the Choctaw and Chickasaw country for missionary or educational purposes; but no land thus granted, nor the buildings which have been or may be erected thereon, shall ever be sold or otherwise disposed of, except with the consent of the legislatures of said nations respectively and approval of the Secretary of the Interior; and whenever such lands or buildings shall be sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefit of the

Choctaws and Chickasaws, and such other persons as may hereafter become members of their nations, according to their laws, customs, and usages.

Rights of parents in selecting land for children.

ARTICLE XVIII. In making a selection for children the parent shall have a prior right to select land adjacent to his own improvements or selection, provided such selection shall be made within thirty days from the time at which selections under this treaty commence.

Mode of selecting lands.

ARTICLE XIX. The manner of selecting as aforesaid shall be by an entry with the register of the land office, and all selections shall be made to conform to the legal subdivisions of the said lands as shown by the surveys aforesaid on the maps aforesaid; it being understood that nothing herein contained is to be construed to confine a party selecting to one section, but he may take contiguous parts of sections by legal subdivisions in different sections, not exceeding together a quarter-section.

Proof of improvements to be made prior to entries.

ARTICLE XX. Prior to any entries being made under the foregoing provisions, proof of improvements, or actual cultivation, as well as the number of persons for whom a parent or guardian, or probate judge of the county proposes to select and of their right to select, and of his or her authority to select for them, shall be made to the register and receiver of the land office, under regulations to be prescribed by the Secretary of the Interior.

Sections sixteen and thirty-six to be reserved for schools.

Proviso.

ARTICLE XXI. In every township the sections of land numbered sixteen and thirty-six shall be reserved for the support of schools in said township: *Provided*, That if the same has been already occupied by a party or parties having the right to select it, or it shall be so sterile as to be unavailable, the legislative authorities of the particular nations shall have the right to select such other unoccupied sections as they may think proper.

Military posts and Indian agencies.

ARTICLE XXII. The right of selection hereby given shall not authorize the selection of any land required by the United States as a military post, or Indian agency, not exceeding one mile square, which, when abandoned, shall revert to the nation in which the land lies.

Names of persons for whom selections are made to be in books of register.

ARTICLE XXIII. The register of the land office shall inscribe in a suitable book or books, in alphabetical order, the name of every individual for whom a selection shall be made, his or her age, and a description of the land selected.

Town lots.

ARTICLE XXIV. Whereas it may be difficult to give to each occupant of an improvement a quarter-section of land, or even a smaller subdivision, which shall include such improvement, in consequence of such improvements lying in towns, villages, or hamlets, the legislative authorities of the respective nations shall have power, where, in their discretion, they think it expedient, to lay off into town lots any section or part of a section so occupied, to which lots the actual occupants, being citizens of the respective nations, shall have pre-emptive right, and, upon paying into the treasury of the particular nation the price of the land as fixed by the respective legislatures, exclusive of the value of said improvement, shall receive a conveyance thereof. Such occupant shall not be prejudiced thereby in his right to his selection elsewhere. The town lots which may be unoccupied shall be disposed of for the benefit of the particular nation, as the legislative authorities may direct from time to time. When the number of occupants of the same quarter-section shall not be such as to authorize the legislative authorities to lay out the same, or any part thereof, into town lots, they may make such regulations for the disposition thereof as they may deem proper, either by subdivision of the same, so as to accommodate the actual occupants, or by giving the right of prior choice to the first occupant in point of time, upon paying the others for their improvements, to be valued in such way as the legislative authorities shall prescribe, or otherwise. All occupants retaining their lots under this section, and desiring, in addition, to make a selection, must pay for the lots so retained, as in the case of town lots. And any

Choctaw or Chickasaw who may desire to select a sectional division other than that on which his homestead is, without abandoning the latter, shall have the right to purchase the homestead sectional division at such price as the respective legislatures may prescribe.

When patents to issue for selected lands.

ARTICLE XXV. During ninety days from the expiration of the ninety days' notice aforesaid, the Choctaws and Chickasaws shall have the exclusive right to make selections, as aforesaid, and at the end of that time the several parties shall be entitled to patents for their respective selections, to be issued by the President of the United States, and countersigned by the chief executive officer of the nation in which the land lies, and recorded in the records of the executive office of the particular nation; and copies of the said patents, under seal, shall be evidence in any court of law or equity.

Citizens by adoption or intermarriage to have same rights.

ARTICLE XXVI. The right here given to Choctaws and Chickasaws, respectively, shall extend to all persons who have become citizens by adoption or intermarriage of either of said nations, or who may hereafter become such.

Disputes as to selections of lands, how to be settled.

ARTICLE XXVII. In the event of disputes arising in regard to the rights of parties to select particular quarter-sections or other divisions of said land, or in regard to the adjustment of boundaries, so as to make them conform to legal divisions and subdivisions such disputes shall be settled by the register of the land office and the chief executive officer of the nation in which the land lies, in a summary way, after hearing the parties; and if said register and chief officer cannot agree, the two to call in a third party, who shall constitute a third referee, the decision of any two of whom shall be final, without appeal.

Contiguous selections.

ARTICLE XXVIII. Nothing contained in any law of either of the said nations shall prevent parties entitled to make selections contiguous to each other; and the Choctaw and Chickasaw nations hereby agree to repeal all laws inconsistent with this provision.

Selections to be inalienable, &c.

ARTICLE XXIX. Selections made under this treaty shall, to the extent of one quarter-section, including the homestead or dwelling, be inalienable for the period of twenty-one years from the date of such selection, and upon the death of the party in possession shall descend according to the laws of the nation where the land lies; and in the event of his or her death without heirs, the said quarter-section shall escheat to and become the property of the nation.

Not over 10,000 Kansas Indians will be received into district east of, &c. who shall have same rights, &c.

ARTICLE XXX. The Choctaw and Chickasaw nations will receive into their respective districts east of the ninety-eighth degree of west longitude, in the proportion of one fourth in the Chickasaw and three fourths in the Choctaw nation, civilized Indians from the tribes known by the general name of the Kansas Indians, being Indians to the north of the Indian territory, not exceeding ten thousand in number, who shall have in the Choctaw and Chickasaw nations, respectively, the same rights as the Choctaws and Chickasaws, of whom they shall be the fellow-citizens, governed by the same laws, and enjoying the same privileges, with the exception of the right to participate in the Choctaw and Chickasaw annuities and other moneys, and in the public domain, should the same or the proceeds thereof be divided per capita among said Choctaws and Chickasaws, and among others the right to select land as herein provided for Choctaws and Chickasaws, after the expiration of the ninety days during which the selections of land are to be made, as aforesaid, by said Choctaws and Chickasaws; and the Choctaw and Chickasaw nations pledge themselves to treat the said Kansas Indians in all respects with kindness and forbearance, aiding them in good faith to establish themselves in their new homes, and to respect all their customs and usages not inconsistent with the constitution and laws of the Choctaw and Chickasaw nations respectively. In making selections after the advent of the Indians and the actual occupancy of land in said nation, such occupancy

shall have the same effect in their behalf as the occupancies of Choctaws and Chickasaws; and after the said Choctaws and Chickasaws have made their selections as aforesaid, the said persons of African descent mentioned in the third article of the treaty, shall make their selection as therein provided, in the event of the making of the laws, rules, and regulations aforesaid, after the expiration of ninety days from the date at which the Kansas Indians are to make their selections as therein provided, and the actual occupancy of such persons of African descent shall have the same effect in their behalf as the occupancies of the Choctaws and Chickasaws.

Such Kansas Indians may come at once.

ARTICLE XXXI. And whereas some time must necessarily elapse before the surveys, maps, and selections herein provided for can be completed so as to permit the said Kansas Indians to make their selections in their order, during which time the United States may desire to remove the said Indians from their present abiding places, it is hereby agreed that the said Indians may at once come into the Choctaw and Chickasaw nations, settling themselves temporarily as citizens of the said nations, respectively, upon such land as suits them and is not already occupied.

Documents in land offices to be given to Choctaws and Chickasaws in two years.

ARTICLE XXXII. At the expiration of two years, or sooner, if the President of the United States shall so direct, from the completion of the surveys and maps aforesaid, the officers of the land offices aforesaid shall deliver to the executive departments of the Choctaw and Chickasaw nations, respectively, all such documents as may be necessary to elucidate the land title as settled according to this treaty, and forward copies thereof, with the field-notes, records, and other papers pertaining to said titles, to the commissioner of the general land office; and thereafter grants of land and patents therefor shall be issued in such manner as the legislative authorities of said nations may provide for all the unselected portions of the Choctaw and Chickasaw districts as defined by the treaty of June twenty-second, eighteen hundred and fifty-five.

Proceedings afterwards.

Selected lands to be held in severalty, and the unselected in common.

ARTICLE XXXIII. All lands selected as herein provided shall thereafter be held in severalty by the respective parties, and the unselected land shall be the common property of the Choctaw and Chickasaw nations, in their corporate capacities, subject to the joint control of their legislative authorities.

Those prevented from selecting in ninety days may select afterwards.

ARTICLE XXXIV. Should any Choctaw or Chickasaw be prevented from selecting for him or herself during the *the* ninety days aforesaid, the failure to do so shall not authorize another to select the quarter-section containing his improvement, but he may at any time make his selection thereof, subject to having his boundaries made to conform to legal divisions as aforesaid.

Selections after transfer of land records.

ARTICLE XXXV. Should the selections aforesaid not be made before the transfer of the land records to the executive authorities of said nations, respectively, they shall be made according to such regulations as the legislative authorities of the two nations, respectively, may prescribe, to the end that full justice and equity may be done to the citizens of the respective territories.

Selected land abandoned for seven years, except, &c. may be rented, &c.

ARTICLE XXXVI. Should any land that has been selected under the provisions of this treaty be abandoned and left uncultivated for the space of seven years by the party selecting the same, or his heirs, except in the case of infants under the age of twenty-one years, or married women, or persons non compos mentis, the legislative authorities of the nation where such land lies may either rent the same for the benefit of those interested, or dispose of the same otherwise for their benefit, and may pass all laws necessary to give effect to this provision.

Payment by the United States for lands selected by other Indians.

ARTICLE XXXVII. In consideration of the right of selection hereinbefore accorded to certain Indians other than the Choctaws and Chickasaws, the United States agree to pay to the Choctaw and Chickasaw nations, out of the funds of Indians removing into said nations respectively, under the provisions of this treaty, such sum as may be fixed by the

legislatures of said nations, not exceeding one dollar per acre, to be divided between the said nations in the proportion of one fourth to the Chickasaw nation, and three fourths to the Choctaw nation, with the understanding that at the expiration of twelve months the actual number of said immigrating Indians shall be ascertained, and the amount paid that may be actually due at the rate aforesaid; and should still further immigrations take place from among said Kansas Indians, still further payments shall be made accordingly from time to time.

White persons marrying Indians and residing in the nation, or adopted, to be members of the nation and subject to its laws.

ARTICLE XXXVIII. Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw nation, or who has been adopted by the legislative authorities, is to be deemed a member of said nation, and shall be subject to the laws of the Choctaw and Chickasaw nations according to his domicile, and to prosecution and trial before their tribunals, and to punishment according to their laws in all respects as though he was a native Choctaw or Chickasaw.

Licenses to trade.

ARTICLE XXXIX. No person shall be licensed to trade with the Choctaws or Chickasaws except by the agent, with the advice and consent of the legislative authorities of the nation he may propose to trade in; but no license shall be required to authorize any member of the Choctaw or Chickasaw nations to trade in the Choctaw or Chickasaw country who is authorized by the proper authority of the nation, nor to authorize Choctaws or Chickasaws to sell flour, meal, meat, fruit, and other provisions, stock, wagons, agricultural implements, or tools brought from the United States into the said country.

Amendment. *Post*, p. 782.

Treaty restrictions upon sales of personal property removed.

ARTICLE XL. All restrictions contained in any treaty heretofore made, or in any regulation of the United States upon the sale or other disposition of personal chattel property by Choctaws or Chickasaws, are hereby removed.

Witnesses.

ARTICLE XLI. All persons who are members of the Choctaw or Chickasaw nations, and are not otherwise disqualified or disabled, shall hereafter be competent witnesses in all civil and criminal suits and proceedings in any courts of the United States, any law to the contrary notwithstanding.

Surrender of fugitives from justice.

ART[ICLE] XLII. The Choctaw and Chickasaw nations shall deliver up persons accused of crime against the United States, or any of them, who may be found within their limits, on the requisition of the governor of any State, or of the United States.

Amendment. *Post*, p. 782.

No white person except, &c. to be permitted to go into said territory, unless, &c.

ART[ICLE] XLIII. The United States promise and agree that no white person, except officers, agents, and employés of the government, and of any internal improvement company, or persons travelling through, or temporarily sojourning in, the said nations, or either of them, shall be permitted to go into said territory, unless formally incorporated and naturalized by the joint action of the authorities of both nations into one of the said nations of Choctaws and Chickasaws, according to their laws, customs, or usages; but this article is not to be construed to affect parties heretofore adopted, or to prevent the employment temporarily of white persons who are teachers, mechanics, or skilled in agriculture, or to prevent the legislative authorities of the respective nations from authorizing such works of internal improvement as they may deem essential to the welfare and prosperity of the community, or be taken to interfere with or invalidate any action which has heretofore been had in this connection by either of the said nations.

Post offices and mails.

ART[ICLE] XLIV. Post offices shall be established and maintained by the United States at convenient places in the Choctaw and Chickasaw nations, to and from which the mails shall be carried at reasonable intervals, at the rates of postage prevailing in the United States.

Former rights and immunities of the Indians to remain in force.

ART[ICLE] XLV. All the rights, privileges, and immunities heretofore possessed by said nations or individuals thereof, or to which they were entitled under the treaties and legislation heretofore made and had

in connection with them, shall be, and are hereby declared to be, in full force, so far as they are consistent with the provisions of this treaty.

Money due the Indians under this treaty, how to be paid.

ART[ICLE] XLVI. Of the moneys stipulated to be paid to the Choctaws and Chickasaws under this treaty for the cession of the leased district, and the admission of the Kansas Indians among them, the sum of one hundred and fifty thousand dollars shall be advanced and paid to the Choctaws, and fifty thousand dollars to the Chickasaws, through their respective treasurers, as soon as practicable after the ratification of this treaty, to be repaid out of said moneys or any other moneys of said nations in the hands of the United States; the residue, not affected by any provision of this treaty, to remain in the Treasury of the United States at an annual interest of not less than five per cent, no part of which shall be paid out as annuity, but shall be annually paid to the treasurer of said nations, respectively, to be regularly and judiciously applied, under the direction of their respective legislative councils, to the support of their government, the purposes of education, and such other objects as may be best calculated to promote and advance the welfare and happiness of said nations and their people respectively.

Amendment. *Post*, p. 782.

After survey and assignment of the lands in severalty, annuities and funds to be capitalized, &c.;

ART[ICLE] XLVII. As soon as practicable after the lands shall have been surveyed and assigned to the Choctaws and Chickasaws in severalty as herein provided, upon application of their respective legislative councils, and with the assent of the President of the United States, all the annuities and funds invested and held in trust by the United States for the benefit of said nations respectively shall be capitalized or converted into money, as the case may be; and the aggregate amounts thereof belonging to each nation shall be equally divided and paid per capita to the individuals thereof respectively, to aid and assist them in improving their homesteads and increasing or acquiring flocks and herds, and thus encourage them to make proper efforts to maintain successfully the new relations which the holding of their lands in severalty will involve: *Provided, nevertheless*, That there shall be retained by the United States such sum as the President shall deem sufficient of the said moneys to be invested, that the interest thereon may be sufficient to defray the expenses of the government of said nations respectively, together with a judicious system of education, until these objects can be provided for by a proper system of taxation; and whenever this shall be done to the satisfaction of the President of the United States, the moneys so retained shall be divided in the manner and for the purpose above mentioned.

To be divided per capita.

Certain sums may be retained.

Payment of $25,000 to commissioners of each nation for incidental expenses.

ART[ICLE] XLVIII. Immediately after the ratification of this treaty there shall be paid, out of the funds of the Choctaws and Chickasaws in the hands of the United States, twenty-five thousand dollars to the Choctaw and twenty-five thousand dollars to the Chickasaw commissioners, to enable them to discharge obligations incurred by them for various incidental and other expenses to which they have been subjected, and for which they are now indebted.

Commission to settle damages of loyal Indians driven from their homes.

ART[ICLE] XLIX. And it is further agreed that a commission, to consist of a person or persons to be appointed by the President of the United States, shall be appointed immediately on the ratification of this treaty, who shall take into consideration and determine the claim of such Choctaws and Chickasaws as allege that they have been driven during the late rebellion from their homes in the Choctaw [and Chickasaw] nations on account of their adhesion to the United States, for damages, with power to make such award as may be consistent with equity and good conscience, taking into view all circumstances, whose report, when ratified by the Secretary of the Interior, shall be final, and authorize the payment of the amount from any moneys of said nations in the hands of the United States as the said commission may award.

Amendment. *Post*, p. 782.

Commission to determine the claims of loyal

ART[ICLE] L. Whereas Joseph G. Heald and Reuben Wright, of Massachusetts, were licensed traders in the Choctaw country at the com-

mencement of the rebellion, and claim to have sustained large losses on account of said rebellion, by the use of their property by said nation, and that large sums of money are due them for goods and property taken, or sold to the members of said nation, and money advanced to said nation; and whereas other loyal citizens of the United States may have just claims of the same character: It is hereby agreed and stipulated that the President of the United States shall, within three months from the ratification of this treaty, appoint a commission, to consist of one or more discreet persons, to investigate said claims, and fully examine the same; and such sum or sums of money as shall by the report of said commission, approved by the Secretary of the Interior, be found due to such persons, not exceeding ninety thousand dollars, shall be paid by the United States to the persons entitled thereto, out of any money belonging to said nation in the possession of the United States: *Provided*, That no claim for goods or property of any kind shall be allowed or paid, in whole or part, which shall have been used by said nation or any member thereof in aid of the rebellion, with the consent of said claimants: *Provided also*, That if the aggregate of said claims thus allowed and approved shall exceed said sum of ninety thousand dollars, then that sum shall be applied pro rata in payment of the claims so allowed.

Citizens of the United States for damages.

Amendment. *Post*, p. 782.

Provisos.

ART[ICLE] LI. It is further agreed that all treaties and parts of treaties inconsistent herewith be, and the same are hereby, declared null and void.

Inconsistent treaty provisions declared null.

In testimony whereof, the said Dennis N. Cooley, Elijah Sells, and E. S. Parker, commissioners in behalf of the United States, and the said commissioners on behalf of the Choctaw and Chickasaw nations, have hereunto set their hands and seals the day and year first above written.

D. N. COOLEY, *Com'r Ind. Aff'rs*, [SEAL.]
ELIJAH SELLS, *Sup't Ind Aff.*, [SEAL.]
E. S. PARKER, *Spl. Com'r*, [SEAL.]
Commissioners for U. S.

ALFRED WADE, [SEAL.]
ALLEN WRIGHT, [SEAL.]
JAMES RILEY, [SEAL.]
JOHN PAGE, [SEAL.]
Choctaw Commissioners.

WINCHESTER COLBERT, [SEAL.]
his
EDMUND x PICKENS, [SEAL.]
mark
HOLMES COLBERT, [SEAL.]
COLBERT CARTER, [SEAL.]
ROBERT H. LOVE, [SEAL.]
Chickasaw Commissioners.

CAMPBELL LEFLORE,
Secretary of Choctaw Delegation.
E. S. MITCHELL,
Sec[re]tary of Chickasaw Delega.

In presence of—

JNO. H. B. LATROBE,
P. P. PITCHLYNN,
Principal Chief Choctaws.
DOUGLAS H. COOPER,
J. HARLAN,
CHARLES E. MIX.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on

Ratification with amendments.

the twenty-eighth day of June, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution, with amendments, in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
June 28, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention between the United States and the Choctaw and Chickasaw nations of Indians, made and concluded at the city of Washington, the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis N. Cooley, Elijah Sells, and E. S. Parker, special commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, commissioners on the part of the Chickasaws, with the following

Amendments.

AMENDMENTS:

Ante, p. 770. 1st. At the end of article V. add the following: —

The people of the Choctaw and Chickasaw nations stipulate and agree to deliver up to any duly authorized agent of the United States all public property in their possession which belong[s] to the late so-called "confederate states of America" or the United States, without any reservation wha[t]-soever, particularly ordnance, ordnance stores, and arms of all kinds.

Ante, p. 774. 2d. Article IX. lines 4 and 5, strike out the words "including any arrears which may have accrued."

Ante, p. 779. 3d. Article XXXIX. lines 1, 2, and 3, strike out the following: "Be licensed to trade with the Choctaws or Chickasaws, except by the agent, with the advice and consent," and insert in lieu thereof: No person shall expose goods or other articles for sale as a trader without a permit.

Ante, p. 779. 4th. Strike out Article XLII. and insert in lieu thereof the following as a substitute: The Choctaw and Chickasaw nations shall deliver up persons accused of crime against the United States, who may be found within their respective limits on the requisition of the governor of any State for a crime committed against the laws of said State, and upon the requisition of the judge of the district court of the United States for the district within which the crime was committed.

Ante, p. 780. 5th. Article XLVI. line 13, strike out the words "not less than."

Ante, p. 780. 6th. Article XLIX. line 3, after the words "United States" insert: not exceeding three.

Ante, p. 781. 7th. Article [L]. lines 11 to and including line 15, strike out the following words: "that the President of the United States shall, within three months from the ratification of this treaty, appoint a commission, to consist of one or more discreet persons," and insert in lieu thereof: that the commission provided for in the proceeding [preceding] article shall.

Attest:

J. W. FORNEY, *Secretary.*

Amendments assented to.

And whereas the foregoing amendments having been fully explained and interpreted to the respective commissioners of the Choctaw and Chickasaw nations of Indians hereinbefore named, they did, on the second day of July, one thousand eight hundred and sixty-six, give their free and voluntary assent to said amendments, in the words and figures following, to wit: —

Whereas the Senate of the United States did, on the twenty-eighth day of June, in the year of our Lord one thousand eight hundred and sixty-six, advise and consent to the ratification of the articles of agreement and

convention between the United States and the Choctaw and Chickasaw nations of Indians made and concluded at the city of Washington the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis N. Cooley, Elijah Sells, and E. S. Parker, special commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, commissioners on the part of the Chickasaws, with the following amendments, to wit: —

1st. At the end of Article V. add the following: The people of the Choctaw and Chickasaw nations stipulate and agree to deliver up to any duly authorized agent of the United States all public property in their possession which belong[s] to the late so-called "confederate states of America" or the United States, without any reservation whatsoever, particularly ordnance, ordnance stores, and arms of all kinds.

2d. Article IX. lines 4 and 5, strike out the words: "including any arrears which may have accrued."

3d. Article XXXIX. lines 1, 2, and 3, strike out the following: "be licensed to trade with the Choctaws or Chickasaws, except by the agent, with the advice and consent," and insert in lieu thereof: No person shall expose goods or other articles for sale as a trader without a permit.

4th. Strike out Article XLII. and insert in lieu thereof the following as a substitute: The Choctaw and Chickasaw nations shall deliver up persons accused of crime against the United States, who may be found within their respective limits on the requisition of the Governor of any State, for a crime committed against the laws of said State, and upon the requisition of the judge of the district court of the United States for the district within which the crime was committed.

5th. Article XLVI. line 13, strike out the words "not less than."

6th. Article XLIX. line 3, after the words "United States" insert: not exceeding three.

7th. Article [L.] lines 11 to and including line 15, strike out the following words: "That the President of the United States shall, within three months from the ratification of this treaty, appoint a commission to consist of one or more discreet persons," and insert in lieu thereof: that the commission provided for in the preceding article shall.

Now, therefore, we, the commissioners on the part of the said Choctaws and Chickasaws, do hereby assent and agree to the said amendments above written, the same having been interpreted to us, and being fully understood by us.

Witness our hands and seals this second day of July, in the year of our Lord one thousand eight hundred and sixty-six at Washington, D. C.

ALFRED WADE, [SEAL.]
ALLEN WRIGHT, [SEAL.]
JAMES RILEY, [SEAL.]
JOHN PAGE, [SEAL.]
Choctaw Commissioners.
WINCHESTER COLBERT, [SEAL.]
his
EDMUND x PICKENS, [SEAL.]
mark
HOLMES COLBERT, [SEAL.]
COLBERT CARTER, [SEAL.]
ROBERT H. LOVE, [SEAL.]
Chickasaw Commissioners.

In presence [of]

JNO. H. B. LATROBE.
CHARLES E. MIX.
P. P. PITCHLYNN, *Principal chief Choctaw nation.*

DOUGLAS H. COOPER.
ALFRED H. JACKSON.
W. R. IRWIN.
LEWIS S. HAYDEN.
E. S. MITCHELL, *Secty. Chick. Commisn.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-eighth day of June, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendments as aforesaid.

In testimony whereof I have signed my name, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this tenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, and of [SEAL.] the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD,
Secretary of State.

Treaty between the United States of America and the Creek Nation of Indians; Concluded June 14, 1866; *Ratification advised, with Amendments, July* 19, 1866; *Amendments accepted July* 23, 1866; *Proclaimed August* 11, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, June, 14, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble. WHEREAS a treaty was made and concluded at the city of Washington, in the District of Columbia, on the fourteenth day of June, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley and Elijah Sells, Commissioners, on the part of the United States, and Ok-ta-has Harjo, Cow-mikko, and Cotch-cho-chee, delegates at large of the Creek Nation of Indians, and D. N. McIntosh and James M. C. Smith, special delegates of the Southern Creeks, on the part of said Creek Nation of Indians and Southern Creeks, all of which delegates at large and special delegates were duly authorized thereto by said Creek Nation and Southern Creeks, which treaty is in the words and figures following, to wit:—

Contracting parties. TREATY OF CESSION AND INDEMNITY concluded at the city of Washington on the fourteenth day of June, in the year of our Lord one thousand eight hundred and sixty-six, by and between the United States, represented by Dennis N. Cooley, Commissioner of Indian affairs, Elijah Sells, superintendent of Indian affairs for the Southern superintendency, and Col. Ely S. Parker, special Commissioner, and the Creek Nation of Indians, represented by Ok-tars-sars-harjo, or Sands; Cow-e-to-me-co and Che-chu-chee, delegates at large, and D. N. McIntosh and James Smith, special delegates of the Southern Creeks.

PREAMBLE.

WHEREAS existing treaties between the United States and the Creek Nation have become insufficient to meet their mutual necessities; and whereas the Creeks made a treaty with the so-called confederate states, on the tenth of July, one thousand eight hundred and sixty-one, whereby they ignored their allegiance to the United States, and unsettled the treaty relations existing between the Creeks and the United States, and did so render themselves liable to forfeit to the United States all benefits and advantages enjoyed by them in lands, annuities, protection, and immunities, including their lands and other property held by grant or gift from the United States; and whereas in view of said liabilities the United States require of the Creeks a portion of their land whereon to settle other Indians; and whereas a treaty of peace and amity was entered into between the United States and the Creeks and other tribes at Fort Smith, September tenth, eighteen hundred and sixty-five, whereby the Creeks revoked, cancelled, and repudiated the aforesaid treaty made with the so-called confederate states; and whereas the United States, through its commissioners, in said treaty of peace and amity, promised to enter into treaty with the Creeks to arrange and settle all questions relating to and growing out of said treaty with the so-called confederate states: Now, therefore, the United States, by its commissioners, and the above-named delegates

of the Creek Nation, the day and year above mentioned, mutually stipulate and agree, on behalf of the respective parties, as follows, to wit:—

Peace and friendship.

ARTICLE I. There shall be perpetual peace and friendship between the parties to this treaty, and the Creeks bind themselves to remain firm allies and friends of the United States, and never to take up arms against the United States, but always faithfully to aid in putting down its enemies. They also agree to remain at peace with all other Indian tribes; and, in return, the United States guarantees them quiet possession of their country, and protection against hostilities on the part of other tribes. In the event of hostilities, the United States agree that the tribe commencing and prosecuting the same, shall, as far as may be practicable, make just reparation therefor. To insure this protection, the Creeks agree to a military occupation of their country, at any time, by the United States, and the United States agree to station and continue in said country from time to time, at its own expense, such force as may be necessary for that purpose. A general amnesty of all past offences against the laws of the United States, committed by any member of the Creek Nation, is hereby declared. And the Creeks, anxious for the restoration of kind and friendly feelings among themselves, do hereby declare an amnesty for all past offences against their government, and no Indian or Indians shall be proscribed, or any act of forfeiture or confiscation passed against those who have remained friendly to, or taken up arms against, the United States, but they shall enjoy equal privileges with other members of said tribe, and all laws heretofore passed inconsistent herewith are hereby declared inoperative.

Military occupation and protection by the United States.

Amnesty.

Slavery not to exist among the Creeks.

ARTICLE II. The Creeks hereby covenant and agree that henceforth neither slavery nor involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted in accordance with laws applicable to all members of said tribe, shall ever exist in said nation; and inasmuch as there are among the Creeks many persons of African descent, who have no interest in the soil, it is stipulated that hereafter these persons lawfully residing in said Creek country under their laws and usages, or who have been thus residing in said country, and may return within one year from the ratification of this treaty, and their descendants and such others of the same race as may be permitted by the laws of the said nation to settle within the limits of the jurisdiction of the Creek Nation as citizens [thereof,] shall have and enjoy all the rights and privileges of native citizens, including an equal interest in the soil and national funds, and the laws of the said nation shall be equally binding upon and give equal protection to all such persons, and all others, of whatsoever race or color, who may be adopted as citizens or members of said tribe.

Rights of those of African descent.

Cession of lands to the United States.

ARTICLE III. In compliance with the desire of the United States to locate other Indians and freedmen thereon, the Creeks hereby cede and convey to the United States, to be sold to and used as homes for such other civilized Indians as the United States may choose to settle thereon, the west half of their entire domain, to be divided by a line running north and south; the eastern half of said Creek lands, being retained by them shall, except as herein otherwise stipulated, be forever set apart as a home for said Creek Nation; and in consideration of said cession of the west half of their lands, estimated to contain three millions two hundred and fifty thousand five hundred and sixty acres, the United States agree to pay the sum of thirty (30) cents per acre, amounting to nine hundred and seventy-five thousand one hundred and sixty-eight dollars, in the manner hereinafter provided, to wit: two hundred thousand dollars shall be paid per capita in money, unless otherwise directed by the President of the United States, upon the ratification of this treaty, to enable the Creeks to occupy, restore, and improve their farms, and to make their

Payments therefor, and mode of payment.

Amendment. *Post*, p. 791.

nation independent and self-sustaining, and to pay the damages sustained by the mission schools on the North Fork and the Arkansas rivers, not to exceed two thousand dollars, and to pay the delegates such per diem as the agent and Creek council may agree upon, as a just and fair compensation, all of which shall be distributed for that purpose by the agent, with the advice of the Creek council, under the direction of the Secretary of the Interior. One hundred thousand dollars shall be paid to soldiers that enlisted in the Federal army and the loyal refugee Indians and freedmen who were driven from their homes by the Rebel forces, to reimburse them in proportion to their respective losses; four hundred thousand dollars shall be paid per capita in money to said Creek nation, unless otherwise directed by the President of the United States, under the direction of the Secretary of the Interior, as the same may accrue from the sale of land to other Indians. The United States agree to pay to said Indians, in such manner and for such purposes as the Secretary of the Interior may direct, interest at the rate of five per cent per annum from the date of the ratification of this treaty, on the amount hereinbefore agreed upon for said ceded lands, after deducting the said two hundred thousand dollars; the residue, two hundred and seventy-five thousand one hundred and sixty-eight dollars, shall remain in the treasury of the United States, and the interest thereon, at the rate of five per centum per annum, be annually paid to said Creeks as above stipulated.

Amendment. *Post*, p. 791.

ARTICLE IV. Immediately after the ratification of this treaty the United States agree to ascertain the amount due the respective soldiers who enlisted in the Federal army, loyal refugee Indians and freedmen, in proportion to their several losses, and to pay the amount awarded each, in the following manner, to wit: A census of the Creeks shall be taken by the agent of the United States for said nation, under the direction of the Secretary of the Interior, and a roll of the names of all soldiers that enlisted in the Federal army, loyal refugee Indians, and freedmen, be made by him. The superintendent of Indian affairs for the Southern superintendency and the agent of the United States for the Creek nation shall proceed to investigate and determine from said roll the amounts due the respective refugee Indians, and shall transmit to the commissioner of Indian affairs for his approval, and that of the Secretary of the Interior, their awards, together with the reasons therefor. In case the awards so made shall be duly approved, said awards shall be paid from the proceeds of the sale of said lands within one year from the ratification of this treaty, or so soon as said amount of one hundred thousand ($100,000) dollars can be raised from the sale of said land to other Indians.

Losses of loyal refugee Indians and freedmen, soldiers enlisted in federal army.

Census, &c.

ARTICLE V. The Creek nation hereby grant a right of way through their lands, to the Choctaw and Chickasaw country, to any company which shall be duly authorized by Congress, and shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad from any point north of to any point in or south of the Creek country, and likewise from any point on their eastern to their western or southern boundary, but said railroad company, together with all its agents and employés, shall be subject to the laws of the United States relating to intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior for that purpose, and the Creeks agree to sell to the United States, or any company duly authorized as aforesaid, such lands not legally owned or occupied by a member or members of the Creek nation, lying along the line of said contemplated railroad, not exceeding on each side thereof a belt or strip of land three miles in width, at such price per acre as may be eventually agreed upon between said Creek nation and the party or parties building said road, subject to the approval of the President of the United States: *Provided, however*, That said land thus sold shall not be

Right of way granted for a railroad.

Conditions.

Lands will be sold.

Proviso.

reconveyed, leased, or rented to, or be occupied by any one not a citizen of the Creek nation, according to its laws and recognized usages: *Provided, also*, That officers, servants, and employés of said railroad necessary to its construction and management, shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian intercourse law and such rules and regulations as may be established by the Secretary of the Interior, nor shall any conveyance of any of said lands be made to the party building and managing said road until its completion as a first-class railroad, and its acceptance as such by the Secretary of the Interior.

Creek orphan fund, and orphan children.

ARTICLE VI. Inasmuch as the bonds, or a portion thereof, in which the Creek orphan fund has been heretofore invested, from certain causes have largely depreciated in value, and are for the purposes for which said fund was set aside unproductive, it is hereby further stipulated that such of the bonds now held by the Secretary of the Interior, in trust for the orphans of the Creek nation, as may be necessary to establish a manual-labor school for the improvement and education of the orphan children of said nation shall be disposed of, and the avails thereof used for that purpose, under the direction of the Secretary of the Interior. The residue of said fund shall be retained in the treasury of the United States, upon which interest at the rate of five per cent shall annually be paid for the maintenance and support of said school.

Amendment. *Post*, p. 791.

Seminoles may convey to the United States.

ARTICLE VII. The Creeks hereby agree that the Seminole tribe of Indians may sell and convey to the United States all or any portion of the Seminole lands, upon such terms as may be mutually agreed upon by and between the Seminoles and the United States.

Line dividing the Creek country to be surveyed.

ARTICLE VIII. It is agreed that the Secretary of the Interior forthwith cause the line dividing the Creek country, as provided for by the terms of the sale of Creek lands to the United States in article third of this treaty, to be accurately surveyed under the direction of the commissioner of Indian affairs, the expenses of which survey shall be paid by the United States.

Agency buildings.

ARTICLE IX. Inasmuch as the agency buildings of the Creek tribe have been destroyed during the late war, it is further agreed that the United States shall at their own expense, not exceeding ten thousand dollars, cause to be erected suitable agency buildings, the sites whereof shall be selected by the agent of said tribe, in the reduced Creek reservation, under the direction of the superintendent of Indian affairs.

In consideration whereof, the Creeks hereby cede and relinquish to the United States one section of their lands, to be designated and selected by their agent, under the direction of the superintendent of Indian affairs, upon which said agency buildings shall be erected, which section of land shall revert to the Creek nation when said agency buildings are no longer used by the United States, upon said nation paying a fair and reasonable value for said buildings at the time vacated.

Creeks agree to certain legislation.

ARTICLE X. The Creeks agree to such legislation as Congress and the President of the United States may deem necessary for the better administration of justice and the protection of the rights of person and property within the Indian territory: *Provided, however*, [That] said legislation shall not in any manner interfere with or annul their present tribal organization, rights, laws, privileges, and customs. The Creeks also agree that

General council.

a general council, consisting of delegates elected by each nation or tribe lawfully resident within the Indian territory, may be annually convened in said territory, which council shall be organized in such manner and possess such powers as are hereinafter described.

Census.

First. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said council, a census, or enumeration of each tribe lawfully resident in said territory, shall be taken under the direction of the

superintendent of Indian affairs, who for that purpose is hereby authorized to designate and appoint competent persons, whose compensation shall be fixed by the Secretary of the Interior and paid by the United States.

First general council, how composed.

Second. The first general council shall consist of one member from each tribe, and an additional member for each one thousand Indians, or each fraction of a thousand greater than five hundred, being members of any tribe lawfully resident in said territory, and shall be selected by said tribes respectively, who may assent to the establishment of said general council, and if none should be thus formally selected by any nation or tribe, the said nation or tribe shall be represented in said general council by the chief or chiefs and headmen of said tribe, to be taken in the order of their rank as recognized in tribal usage, in the same number and proportion as above indicated. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe the number of members of said council to which they shall be entitled under the provisions of this article, and the persons entitled to so represent said tribes shall meet at such time and place as he shall appoint, but thereafter the time and place of the sessions of said council shall be determined by its action: *Provided*, That no session in any one year shall exceed the term of thirty days, and provided that special sessions of said council may be called whenever, in the judgment of the Secretary of the Interior, the interest of said tribe shall require.

Time and place of meeting.

Sessions not to exceed 30 days.

Special sessions.

Powers of general council.

Third. Said general council shall have power to legislate upon all rightful subjects and matters pertaining to the intercourse and relations of the Indian tribes and nations resident in said territory, the arrest and extradition of criminals and offenders escaping from one tribe to another, the administration of justice between members of the several tribes of said territory, and persons other than Indians and members of said tribes or nations, the construction of works of internal improvement, and the common defence and safety of the nations of said territory. All laws enacted by said general council shall take effect at such time as may therein be provided, unless suspended by direction of the Secretary of the Interior or the President of the United States. No law shall be enacted inconsistent with the Constitution of the United States, or the laws of Congress, or existing treaty stipulations with the United States, nor shall said council legislate upon matters pertaining to the organization, laws, or customs of the several tribes, except as herein provided for.

Who to preside over council.

Fourth. Said council shall be presided over by the superintendent of Indian affairs, or, in case of his absence from any cause, the duties of said superintendent enumerated in this article shall be performed by such person as the Secretary of the Interior may direct.

Secretary of council.

Fifth. The Secretary of the Interior shall appoint a secretary of said council, whose duty it shall be to keep an accurate record of all the proceedings of said council, and who shall transmit a true copy of all such proceedings, duly certified by the superintendent of Indian affairs, to the Secretary of the Interior immediately after the sessions of said council shall terminate. He shall be paid out of the treasury of the United States an annual*ly* salary of five hundred dollars.

Pay.

Pay of members.

Sixth. The members of said council shall be paid by the United States the sum of four dollars per diem during the time actually in attendance on the sessions of said council, and at the rate of four dollars for every twenty miles necessar[il]y travelled by them in going to and returning to their homes, respectively, from said council, to be certified by the secretary of said council and the superintendent of Indian affairs.

Courts.

Seventh. The Creeks also agree that a court or courts may be established in said territory, with such jurisdiction and organized in such manner as Congress may by law provide.

This treaty to be a full settlement of all claims.

ARTICLE XI. The stipulations of this treaty are to be a full settlement of all claims of said Creek nation for damages and losses of every

kind growing out of the late rebellion and all expenditures by the United States of annuities in clothing and feeding refugee and destitute Indians since the diversion of annuities for that purpose consequent upon the late war with the so-called confederate states; and the Creeks hereby ratify and confirm all such diversions of annuities heretofore made from the funds of the Creek nation by the United States, and the United States agree that no annuities shall be diverted from the objects for which they were originally devoted by treaty stipulations with the Creeks, to the use of refugee and destitute Indians other than the Creeks or members of the Creek nation after the close of the present fiscal year, June thirtieth, eighteen hundred and sixty-six.

Diversions of annuities.

Treaty obligations reaffirmed.

ARTICLE XII. The United States reaffirms and reassumes all obligations of treaty stipulations with the Creek nation entered into before the treaty of said Creek nation with the so-called confederate states, July tenth, eighteen hundred and sixty-one, not inconsistent herewith; and further agrees to renew all payments of annuities accruing by force of said treaty stipulations from and after the close of the present fiscal year, June thirtieth, eighteen hundred and sixty-six, except as is provided in article eleventh.

Lands granted for missionary or educational purposes;

not to be sold, except, &c.;

when sold, proceeds to be how applied.

ARTICLE XIII. A quantity of land not exceeding one hundred and sixty acres, to be selected according to legal subdivisions, in one body, and to include their improvements, is hereby granted to every religious society or denomination which has erected, or which, with the consent of the Indians, may hereafter erect buildings within the Creek country for missionary or educational purposes; but no land thus granted nor the buildings which have been or may be erected thereon shall ever be sold or otherwise disposed of, except with the consent and approval of the Secretary of the Interior; and whenever any such lands or buildings shall be so sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefit of the Creeks and such other persons as may be or may hereafter become members of the tribe according to its laws, customs, and usages; and if at any time said improvements shall be abandoned for one year for missionary or educational purposes, all the rights herein granted for missionary and educational purposes shall revert to the said Creek nation.

Inconsistent treaty provisions annulled.

ARTICLE XIV. It is further agreed that all treaties heretofore entered into between the United States and the Creek nation which are inconsistent with any of the articles or provisions of this treaty shall be, and are hereby, rescinded and annulled; and it is further agreed that ten thousand dollars shall be paid by the United States, or so much thereof as may be necessary, to pay the expenses incurred in negotiating the foregoing treaty.

Execution.

In testimony whereof, we, the commissioners representing the United States and the delegates representing the Creek nation, have hereunto set our hands and seals at the place and on the day and year above written.

D. N. COOLEY, *Comr. Ind. Affrs.*		[SEAL.]
ELIJAH SELLS, *Supt. Ind. Aff.*		[SEAL.]
OK-TA-HAS HARJO,	his x mark.	[SEAL.]
COW MIKKO,	his x mark.	[SEAL.]
COTCH-CHO-CHEE,	his x mark.	[SEAL.]
D. N. McINTOSH.		[SEAL.]
JAMES M. C. SMITH.		[SEAL.]

In presence of—

J. W. DUNN, *U. S. Indian Agent.*
J. HARLAN, *U. S. Indian Agent.*

CHARLES E. MIX.
J. M. TEBBETTS.
GEO. A. REYNOLDS, *U. S. Indian Agent.*
JOHN B. SANBORN.
JOHN F. BROWN, *Seminole Delegate.*
JOHN CHUPCO, his x mark.
FOS-HAR-JO, his x mark.
CHO-COTE-HUGA, his x mark.
R. FIELDS, *Cherokee Delegate.*
DOUGLAS H. COOPER.
WM. PENN ADAIR,
HARRY ISLAND, his x mark, *U. S. Interpreter, Creek Nation.*
SULUDIN WATIE.

Ratification, with amendments.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the nineteenth day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with amendments, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
July 19, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the treaty of cession and indemnity concluded at the city of Washington on the fourteenth day of June, eighteen hundred and sixty-six, by and between the United States, represented by their Commissioners, and the Creek nation of Indians, with the following

AMENDMENTS:

1st. Article III. line 21, after the word "paid," insert the words: in money and divided. *Ante*, p. 786.
" same line, strike out the words "in money."
2d " line 43, after the word "paid" insert the words: in money and divided. *Ante*, p. 787.
" same line, strike out the words "in money."
3d. Strike out all of Article VI. *Ante*, p. 788.

Attest: J. W. FORNEY, *Secretary.*

Amendments assented to.

And whereas the foregoing amendments having been fully explained and interpreted to the aforenamed delegates at large and special delegates of the Creek nation of Indians and southern Creeks, they did, on the twenty-third day of July, one thousand eight hundred and sixty-six, give their free and voluntary assent to said amendments, in the words and figures following, to wit: —

Whereas the Senate of the United States did, on the 19th day of July, 1866, advise and consent to the ratification of the treaty of cession and indemnity concluded at the city of Washington on the 14th day of June, 1866, by and between the United States, represented by their Commissioners, and the Creek nation of Indians, with the following amendments, to wit: —

1st. Article III. line 21, after the word "paid" insert the words: in money and divided.
" same line, strike out the words "in money."
2d. " line 43, after the word "paid" insert the words: in money and divided.
" same line, strike out the words "in money."
3d. Strike out all of Article VI.

Now, therefore, we, the delegates representing the Creek Nation of Indians, do hereby assent and agree to the said amendments above written, the same having been interpreted to us and being fully understood by us.

Witness our hands and seals this 23d day of July, A. D. 1866, at Washington, D. C.

OK-TA-HAS-HARJO, his x mark. [SEAL.]
COW MIKKO, his x mark. [SEAL.]
COTCH-CHO-CHEE, his x mark. [SEAL.]
D. N. McINTOSH, [SEAL.]
JAMES M. C. SMITH. [SEAL.]

In presence of —

CHARLES E. MIX.
W. R. IRWIN.
LEWIS S. HAYDEN.
G. D. CURTIS.
GEO. A. REYNOLDS.
E. B. GRAYSON.
JOHN F. BROWN.
J. HARLAN, *U. S. Indian Agent.*
HARRY ISLAND, his x mark, *U. S. Interpreter for Creeks.*
ROBERT JOHNSON, his x mark, *U. S. Interpreter for Seminoles.*
JOHN CHUP-CO, his x mark.
FOS HARPO, his x mark.
CHO-COTE HARJO, his x mark.

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the nineteenth of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendments as aforesaid.

In testimony whereof, I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this eleventh day of August, 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. [SEAL.]

ANDREW JOHNSON.

By the President:

HENRY STANBERY, *Acting Secretary of State.*

Treaty between the United States of America and the Delaware Tribe of Indians; Concluded July 4, 1866; *Ratification advised July* 26, 1866; *Proclaimed August* 10, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, July 4, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble. WHEREAS a treaty was made and concluded at the Delaware Agency, Kansas, on the fourth day of July, in the year of our Lord one thousand eight hundred and sixty-six, by and between Thomas Murphy, John G. Pratt, and William H. Watson, Commissioners, on the part of the United States, and Captain John Connor, Captain Sarcoxie, Charles Journeycake, and other chiefs and councillors of the Delaware tribe of Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Contracting parties. ARTICLES OF AGREEMENT between the United States and the chiefs and councillors of the Delaware Indians, on behalf of said tribe, made at the Delaware Agency, Kansas, on the fourth day of July, eighteen hundred and sixty-six.

Preamble. WHEREAS Congress has by law made it the duty of the President of the United States to provide by treaty for the removal of the Indian tribes from the State of Kansas; and whereas the Delaware Indians have expressed a wish to remove from their present reservation in said State to the Indian country, located between the States of Kansas and Texas; and whereas the United States have, by treaties negotiated with the Choctaws and Chickasaws, with the Creeks, and with the Seminoles, Indian tribes residing in said Indian country, acquired the right to locate other Indian tribes within the limits of the same; and whereas the Missouri River Railroad Company, a corporation existing in the State of Kansas by the laws thereof,—and which company has built a railroad connecting with the Pacific Railroad, from near the mouth of the Kaw River to Leavenworth, in aid of which road the Delawares, by treaty in eighteen hundred and sixty-four, agreed to dispose of their lands,—has expressed a desire to purchase the present Delaware Indian reservation in the said State, in a body, at a fair price:

It is hereby agreed between Thomas Murphy, superintendent of Indian affairs, John G. Pratt, agent for the Delawares, and William H. Watson, special commissioner, who are duly appointed to act for the United States; and Captain John Connor, Captain Sarcoxie, and Charles Journeycake, chiefs, and James Ketchum, James Connor, Andrew Miller, and John Sarcoxie, councillors, duly appointed and authorized by said Delaware Indians to act for them and in their behalf, to wit:—

Value of reservation heretofore sold to be paid the Delawares. ARTICLE I. That the United States shall secure and cause to be paid to said Indians the full value of all that part of their reservation, with the improvements then existing on the same, heretofore sold to the Leavenworth, Pawnee, and Western Railroad Company, according to the terms of a treaty ratified August twenty-second, eighteen hundred and sixty, and supplemental treaties, and in accordance with the conditions, restrictions, and limitations thereof.

Remainder of reservation may be sold.

ARTICLE II. That the Secretary of the Interior shall be, and he is, authorized to sell to said Missouri River Railroad Company, or to other responsible party or parties, in a body, all the remaining part of said reservation, being the lands conveyed to said Delaware Indians in pursuance of the provisions of the supplemental treaty of September twenty-fourth, eighteen hundred and twenty-nine, and all other lands owned by the said tribe in the State of Kansas not previously disposed of, except as hereinafter provided, for a price not less than two dollars and fifty cents per acre, exclusive of improvements.

Price.

Lands of those Indians electing to become citizens to be reserved from sale.

ARTICLE III. It shall be the duty of the Secretary of the Interior to give each of all the adult Delaware Indians who have received their proportion of land in severalty an opportunity, free from all restraint, to elect whether they will dissolve their relations with their tribe and become citizens of the United States: and the lands of all such Indians as may elect so to become citizens, together with those of their minor children, held by them in severalty, shall be reserved from the sale hereinbefore provided for. And the Secretary of the Interior shall cause any and all improvements made on any of the said lands, the sale of which is provided for, whether held in common or in severalty, to be appraised, and the value thereof added to the price of said lands, to be paid for when payment is made for the lands upon which said improvements exist; and the money received for the improvements on the land of each Indian held in severalty shall be paid to him at any time after its payment to the Secretary of the Interior, when the department shall be notified that said Indian is ready to remove to the Indian country, to provide for his removal to, and to enable him to make improvements on his new home therein: *Provided*, That whenever it shall be ascertained under the registry above provided for what lands will be vacated, there shall be set apart from the lands held in common, for each child of Delaware blood, born since the allotment of land to said tribe in severalty was made under previous treaties, a quantity of land equal to the amount to which they would have been entitled had they been born before said allotment, provided that selections for children belonging to families whose head may elect to remain may be made from lands which are to be vacated by those who elect to remove: *And provided further*, That in case there shall be improvements upon any heretofore allotted lands, so selected for children of the Delawares, payment shall be made for such improvements, at their appraised value, by the parents or guardians of said children, at the same time as if the said lands had been sold to the railroad company or other parties.

Improvements to be appraised; value thereof paid to each Indian.

Lands to be set apart for children born since allotment.

Improvements.

The United States to sell certain lands to the Delawares.

ARTICLE IV. The United States agree to sell to the said Delaware Indians a tract of land ceded to the government by the Choctaws and Chickasaws, the Creeks, or the Seminoles, or which may be ceded by the Cherokees in the Indian country, to be selected by the Delawares in one body in as compact a form as practicable, so as to contain timber, water, and agricultural lands, to contain in the aggregate, if the said Delaware Indians shall so desire, a quantity equal to one hundred and sixty (160) acres for each man, woman, and child who shall remove to said country, at the price per acre paid by the United States for the said lands, to be paid for by the Delawares out of the proceeds of sales of lands in Kansas, heretofore provided for. The said tract of country shall be set off with clearly and permanently marked boundaries by the United States; and also surveyed as public lands are surveyed, when the Delaware council shall so request, when the same may, in whole or in part, be allotted by said council to each member of said tribe residing in said country, said allotment being subject to the approval of the Secretary of the Interior.

Price.

Boundaries and surveys.

Peaceable possession guaranteed.

ARTICLE V. The United States guarantee to the said Delawares peaceable possession of their new home herein provided to be selected for

them in the Indian country, and protection from hostile Indians and internal strife and civil war, and a full and just participation in any general council or territorial government that may be established for the nations and tribes residing in said Indian country.

Proceeds of sales of lands to be paid to the Indians, and how.

ARTICLE VI. It is agreed that the proceeds of the sale of the Delaware lands herein provided for shall be paid to said Indians in the manner following, to wit: Whenever the Department of the Interior shall be notified by the council, through the agent, that any of the Delawares who hold land in severalty are ready to remove, at the same time describing their allotments, there shall be paid to each such person the value of his allotment, and that of his family, to enable him to remove to and improve his new home, provided the money for the said allotment shall have been paid to the Secretary of the Interior; and while said money, or any part thereof, shall remain in the treasury of the United States, the Delawares shall be entitled to receive interest on the amount so retained at the rate of five (5) per cent per annum. And the residue of the proceeds of the sale of the Delaware lands, being those which have not been allotted, or which have once been allotted, but have been abandoned by the allottees, shall be added to the general fund of the Delawares, interest thereon to be paid to the Indians in the same manner as is now provided in regard to that fund.

Purchase of the lands by the Missouri River Railroad Company.

ARTICLE VII. Within thirty days after the ratification of this treaty it shall be the duty of the Secretary of the Interior to give the said Missouri River Railroad Company notice that he is authorized to contract with them or other responsible party or parties for the sale of said lands on the terms specified in this treaty, indicating the approximate quantity thereof; and within twenty days after receiving said notice at their usual place of doing business in the State of Kansas it shall be competent for said company to elect to make the purchase, by filing with the said Secretary their bond, with approved security, in double the amount proposed to be paid by them for the whole of said lands, guaranteeing that they will purchase all of the lands to be sold under the provisions of this treaty, and that they will pay for them in accordance with the terms thereof. And upon the filing of a satisfactory bond as above provided by said company, the contract for such purchase shall be concluded by the said Secretary with said Missouri River Railroad Company, at not less than two dollars and fifty cents per acre for the whole of the lands herein provided to be sold: *Provided, however*, That if said railroad company shall not within the twenty days above limited file its bond for the purchase as herein prescribed, the Secretary of the Interior may at the expiration of that time accept any offer for the whole of said lands in one body, at not less than two dollars and fifty cents per acre, from any other responsible parties; but no offer shall be considered from other parties than said Missouri River Railroad Company, unless accompanied by a certificate of deposit in the First National Bank of the city of Washington, D. C., to the credit of the said Secretary, for an amount equal to ten per cent of the aggregate value of the land at the price proposed, to be forfeited for the use of the Delawares if the sale should be awarded to said person or corporation so proposing to purchase the lands, and said party should fail to make payment as hereinafter provided.

If, &c. land may be sold to others.

Payment, when to be made.

ARTICLE VIII. That within sixty days after the sale of said land shall have been effected, the purchaser shall pay to the said Secretary, in trust for the Delawares, the stipulated price of said unallotted lands, with the appraised value of improvements thereon, excepting therefrom the mill reservation, and the quarter sections upon which the council-house and blacksmith shops are built, the use of which shall be retained until the final removal of the Delawares, and for which payment shall not be required from the purchaser until possession is delivered; and from time to time thereafter, as often as the Secretary of the Interior shall notify

the said purchaser that ten thousand acres or more of said lands have been vacated by said Indians, within three months thereafter, said purchaser shall pay to the Secretary of the Interior, in trust for the said Indians, the stipulated price for said lands, with the appraised value of the improvements; and so on until all are paid for, according to the true intent and meaning hereof; and as said lands shall be paid for, patents therefor, conveying the same in fee simple, shall be from time to time issued to said purchaser, or to his or its assigns, by the President of the United States.

Registry to be made of Delawares electing to become citizens.

ARTICLE IX. It is also stipulated that the Secretary of the Interior shall cause a registry to be made of the names of all of said Delawares who have elected to dissolve their tribal relations and to become citizens of the United States, as provided in this treaty, with the names, ages, and sex of the members of the family of each of said Delawares, and present a certified copy of the same to the judge of the district court of the United States for the district of Kansas, and cause a copy to be filed in the office of the commissioner of Indian affairs, after which any of said Delawares, being adults, may appear before the said judge in open court, and make the same proof and take the same oath of allegiance as is provided by law for the naturalization of aliens, and also make proof to the satisfaction of said court that he is sufficiently intelligent and prudent to control his own affairs and interests, that he has adopted the habits of civilized life, and has been able to support, for at least five years, himself and family; when he shall receive a certificate of the same under the seal of the said court; and on the filing of the said certificate in the office of the commissioner of Indian affairs, the said Delaware Indian shall be constituted a citizen of the United States, and be entitled to receive a patent in fee simple, with power of alienation, for the land heretofore allotted to him, and his just proportion, in cash or in bonds, of the cash value of the credits of said tribe, principal and interest, then held in trust by the United States; and also, as the same may be received, his proportion of the proceeds of the sale of lands under the provisions of this treaty, when he shall cease to be a member of said tribe. Whereupon all of the minor children of those who have become citizens shall be construed to have elected to sever their connection with said tribe for the time being, and be entitled to their just proportion of the annuities of the tribe, to be paid to the head of the family to be expended for their support and education until they shall attain the age of twenty-one years, after which each shall elect to remove to his tribe or to become a citizen of the United States, as hereinbefore provided, and if thus admitted to citizenship, shall be entitled to all the privileges and interests herein provided for the head of the family. Should any minor as aforesaid, arriving at the age of twenty-one years, and electing to become a citizen of the United States, or any adult Indian having so elected, fail to be admitted, he shall not be compelled to remove, but the Secretary of the Interior shall provide proper guardianship for the protection of his rights and interests and those of his family. There shall be granted to each of the Delawares who have thus become citizens, a patent in fee simple for the lands heretofore allotted to them, and, if they do not remove with the nation, their pro rata share of all annuities and trust property held by the United States for them, the division to be made under the direction of the President of the United States, after which such persons shall cease to be members of the Delaware tribe, and shall not further participate in their councils, nor share in their property or annuities.

Mode of procedure to become citizens.

Patent of land before allotted.

Proportion of proceeds of sales.

Minor children.

Grant to those that have become citizens.

Funds of the tribe not to be used to pay debts of individual members.

Licenses to trade.

Salaries of chiefs.

ARTICLE X. It is further agreed that the funds of the Delawares shall never be applied by the government to the payment of the debt or debts of any individual member or members of the nation; nor shall any person be licensed to trade with the Delawares without the consent of the chiefs and council; and the salaries of the chiefs shall henceforward be four hundred dollars per annum.

Dependence and protection.

ARTICLE XI. The Delawares acknowledge their dependence upon the United States, and again renew their pledges of devotion to the government thereof, and ask its protection; and the United States agree to protect, preserve, and defend them in all their just rights.

Sale of lands.

ARTICLE XII. It is also agreed that if the said Secretary should not be able to sell the said lands as hereinbefore provided, he may cause the same to be appraised, in separate tracts, at their fair cash value, no tract to be valued at less than two dollars and fifty cents per acre, and the same when appraised may be sold at not less than the appraised value, and for as much more as the same will bring, and the money arising from the sale to be applied and distributed as hereinbefore provided.

Right of way for railroads.

ARTICLE XIII. It is agreed by the Delawares that railroad companies engaged in building roads whose routes shall lie through their new reservation in the Indian country shall have a right of way through and over said lands, not exceeding two hundred feet in width for any such road, and also the right to enter on all lands and take and use such gravel, stone, and other material except timber as may be necessary for the construction of such roads, compensation to be made for any damages done in obtaining such material, and for any damages arising from the location or running of such roads to improvements which shall have been made before such road shall have been located, such damages to be ascertained under regulations to be prescribed by the Secretary of the Interior.

Settlement of all claims of the Delawares for depredations.

ARTICLE XIV. The United States further agree that, in accordance with the general provisions of the sixth article of the Delaware treaty of May thirty, eighteen hundred and sixty, which have not yet been fulfilled, there shall be credited to the Delawares, in the purchase of their new reservation in the Indian country, the sum of thirty thousand dollars, which credit by the United States shall be received by the Delawares as a full settlement of all claims against the government for depredations upon timber to the date of the signing of this treaty; and the Delawares shall receive, without cost, from the United States, land included within their new reservation to the amount of twenty-three sections, in place of the twenty-three sections of half-breed Kaw lands referred to in said sixth section of the treaty of eighteen hundred and sixty; and inasmuch as the Delawares claim that a large amount of stock has been stolen from them by whites since the treaty of eighteen hundred and fifty-four, the United States agree to have a careful examination of such claims made under the direction of the Secretary of the Interior, and when the value of such stolen stock shall have been ascertained, the same shall be reported to Congress with a recommendation for an appropriation to pay for the same; and all moneys appropriated for such purpose shall be paid to the owners of said stock.

Delawares not to move until new homes are provided.

ARTICLE XV. It is also agreed by the contracting parties that nothing contained in this treaty shall be so construed as to require the Delawares to remove from their present homes, until after they shall have selected and received title to lands for new homes elsewhere.

Execution.

In testimony whereof, the said superintendent, agent, and special commissioner, on behalf of the United States, and the said chiefs and councillors on behalf of the Delawares, have hereunto set their hands and seals this fourth day of July, one thousand eight hundred and sixty-six.

THOS. MURPHY, [SEAL.]
Superintendent.
JOHN G. PRATT, [SEAL.]
Agent.
W. H. WATSON, [SEAL.]
Special Commissioner,
JOHN CONNOR, his x mark, [SEAL.]
Head Chief.

CAPTAIN SARCOXIE, his x mark, [SEAL.]
Assistant Chief.
CHARLES JOURNEYCAKE, [SEAL.]
Assistant Chief.
JAMES KETCH[U]M, [SEAL.]
JAMES CONNOR, his x mark, [SEAL.]
ANDREW MILLER, his x mark, [SEAL.]
JOHN SARCOXIE, his x mark, [SEAL.]
Councillors.

ISAAC JOHNYCAKE,
U. S. Interpreter.

In presence of—

HENRY S. BULKLEY.
EDWARD S. MENAGER.
LOUIS A. MENAGER.

Ratification. And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-sixth day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
July 26, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement between the United States and Delaware Indians, made at the Delaware Agency, Kansas, on the fourth day of July, one thousand eight hundred and sixty-six.

Attest: J. W. FORNEY, *Secretary.*

Proclaimed. Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-sixth of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty.

In testimony whereof, I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this tenth day of August, in the year of our Lord one thousand eight hundred and [SEAL.] sixty-six, and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:
HENRY STANBERY, *Acting Secretary of State.*

Treaty between the United States of America and the Cherokee Nation of Indians; Concluded July 19, 1866; *Ratification advised, with Amendments, July* 27, 1866; *Amendments accepted July* 31, 1866; *Proclaimed August* 11, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, July 19, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Preamble. WHEREAS a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the nineteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley and Elijah Sells, Commissioners, on the part of the United States, and Smith Christie, White Catcher, James McDaniel, S. H. Benge, Daniel H. Ross, and J. B. Jones, delegates of the Cherokee nation, appointed by resolution of the national council, on the part of said Cherokee nation, which treaty is in the words and figures following, to wit: —

Contracting parties. ARTICLES OF AGREEMENT AND CONVENTION at the city of Washington on the nineteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, between the United States, represented by Dennis N. Cooley, Commissioner of Indian affairs, [and] Elijah Sells, superintendent of Indian affairs for the southern superintendency, and the Cherokee nation of Indians, represented by its delegates, James McDaniel, Smith Christie, White Catcher, S. H. Benge, J. B. Jones, and Daniel H. Ross — John Ross, principal chief of the Cherokees, being too unwell to join in these negotiations.

PREAMBLE.

WHEREAS existing treaties between the United States and the Cherokee nation are deemed to be insufficient, the said contracting parties agree as follows, viz: —

Pretended treaty declared void. ARTICLE I. The pretended treaty made with the so-called confederate states by the Cherokee nation on the seventh day of October, eighteen hundred and sixty-one, and repudiated by the national council of the Cherokee nation on the eighteenth day of February, eighteen hundred and sixty-three, is hereby declared to be void.

Amnesty. ARTICLE II. Amnesty is hereby declared by the United States and the Cherokee nation for all crimes and misdemeanors committed by one Cherokee on the person or property of another Cherokee, or of a citizen of the United States, prior to the fourth day of July, eighteen hundred and sixty-six; and no right of action arising out of wrongs committed in aid or in the suppression of the rebellion shall be prosecuted or maintained in the courts of the United States or in the courts of the Cherokee nation.

Amendment *Post* p. 807.

Confiscation laws repealed and former owners restored to their rights. ARTICLE III. The confiscation laws of the Cherokee nation shall be repealed, and the same, and all sales of farms, and improvements on real estate, made or pretended to be made in pursuance thereof, are hereby agreed and declared to be null and void, and the former owners of such property so sold, their heirs or assigns, shall have the right peaceably to reoccupy their homes, and the purchaser under the confiscation laws, or his heirs or assigns, shall be repaid by the treasurer of the Cherokee

nation from the national funds, the money paid for said property, and the cost of permanent improvements on such real estate, made thereon since the confiscation sale; the cost of such improvements to be fixed by a commission, to be composed of one person designated by the Secretary of the Interior and one by the principal chief of the nation, which two may appoint a third in cases of disagreement, which cost so fixed shall be refunded to the national treasurer by the returning Cherokees within three years from the ratification hereof.

Improvements.

Cherokees, freed persons, and free negroes may elect to reside where.

ARTICLE IV. All the Cherokees and freed persons who were formerly slaves to any Cherokee, and all free negroes not having been such slaves, who resided in the Cherokee nation prior to June first, eighteen hundred and sixty-one, who may within two years elect not to reside northeast of the Arkansas river and southeast of Grand river, shall have the right to settle in and occupy the Canadian district southwest of the Arkansas river, and also all that tract of country lying northwest of Grand river, and bounded on the southeast by Grand river and west by the Creek reservation to the northeast corner thereof; from thence west on the north line of the Creek reservation to the ninety-sixth degree of west longitude; and thence north on said line of longitude so far that a line due east to Grand river will include a quantity of land equal to one hundred and sixty acres for each person who may so elect to reside in the territory above described in this article: *Provided*, That that part of said district north of the Arkansas river shall not be set apart until it shall be found that the Canadian district is not sufficiently large to allow one hundred and sixty acres to each person desiring to obtain settlement under the provisions of this article.

Proviso.

Those so electing to reside there may elect local officers, judges, &c.

ARTICLE V. The inhabitants electing to reside in the district described in the preceding article shall have the right to elect all their local officers and judges, and the number of delegates to which by their numbers they may be entitled in any general council to be established in the Indian territory under the provisions of this treaty, as stated in Article XII.; and to control all their local affairs, and to establish all necessary police regulations and rules for the administration of justice in said district, not inconsistent with the constitution of the Cherokee nation or the laws of the United States; *Provided*, The Cherokees residing in said district shall enjoy all the rights and privileges of other Cherokees who may elect to settle in said district as hereinbefore provided, and shall hold the same rights and privileges and be subject to the same liabilities as those who elect to settle in said district under the provisions of this treaty; *Provided also*, That if any such police regulations or rules be adopted which, in the opinion of the President, bear oppressively on any citizen of the nation, he may suspend the same. And all rules or regulations in said district, or in any other district of the nation, discriminating against the citizens of other districts, are prohibited, and shall be void.

Proviso.

Proviso.

Representation in national council.

Unequal laws.

ARTICLE VI. The inhabitants of the said district hereinbefore described shall be entitled to representation according to numbers in the national council, and all laws of the Cherokee nation shall be uniform throughout said nation. And should any such law, either in its provisions or in the manner of its enforcement, in the opinion of the President of the United States, operate unjustly or injuriously in said district, he is hereby authorized and empowered to correct such evil, and to adopt the means necessary to secure the impartial administration of justice, as well as a fair and equitable application and expenditure of the national funds as between the people of this and of every other district in said nation.

Courts.

ARTICLE VII. The United States court to be created in the Indian territory; and until such court is created therein, the United States district court, the nearest to the Cherokee nation, shall have exclusive original jurisdiction of all causes, civil and criminal, wherein an inhabitant of the district hereinbefore described shall be a party, and where an in-

habitant outside of said district, in the Cherokee nation, shall be the other party, as plaintiff or defendant in a civil cause, or shall be defendant or prosecutor in a criminal case, and all process issued in said district by any officer of the Cherokee nation, to be executed on an inhabitant residing outside of said district, and all process issued by any officer of the Cherokee nation outside of said district, to be executed on an inhabitant residing in said district, shall be to all intents and purposes null and void, unless indorsed by the district judge for the district where such process is to be served, and said person, so arrested, shall be held in custody by the officer so arresting him, until he shall be delivered over to the United States marshal, or consent to be tried by the Cherokee court: *Provided*, That any or all the provisions of this treaty, which make any distinction in rights and remedies between the citizens of any district and the citizens of the rest of the nation, shall be abrogated whenever the President shall have ascertained, by an election duly ordered by him, that a majority of the voters of such district desire them to be abrogated, and he shall have declared such abrogation: *And provided further*, That no law or regulation, to be hereafter enacted within said Cherokee nation or any district thereof, prescribing a penalty for its violation, shall take effect or be enforced until after ninety days from the date of its promulgation, either by publication in one or more newspapers of general circulation in said Cherokee nation, or by posting up copies thereof in the Cherokee and English languages in each district where the same is to take effect, at the usual place of holding district courts.

Courts.

Process.

Proviso.

Proviso.

ARTICLE VIII. No license to trade in goods, wares, or merchandise *merchandise* shall be granted by the United States to trade in the Cherokee nation, unless approved by the Cherokee national council, except in the Canadian district, and such other district north of Arkansas river and west of Grand river occupied by the so-called southern Cherokees, as provided in Article IV. of this treaty.

Licenses to trade not to be granted unless, &c.

ARTICLE IX. The Cherokee nation having, voluntarily, in February, eighteen hundred and sixty-three, by an act of their national council, forever abolished slavery, hereby covenant and agree that never hereafter shall either slavery or involuntary servitude exist in their nation otherwise than in the punishment of crime, whereof the party shall have been duly convicted, in accordance with laws applicable to all the members of said tribe alike. They further agree that all freedmen who have been liberated by voluntary act of their former owners or by law, as well as all free colored persons who were in the country at the commencement of the rebellion, and are now residents therein, or who may return within six months, and their descendants, shall have all the rights of native Cherokees: *Provided*, That owners of slaves so emancipated in the Cherokee nation shall never receive any compensation or pay for the slaves so emancipated.

Slavery, &c. not to exist.

Freedmen.

No pay for emancipated slaves.

ARTICLE X. Every Cherokee and freed person resident in the Cherokee nation shall have the right to sell any products of his farm, including his or her live stock, or any merchandise or manufactured products, and to ship and drive the same to market without restraint, paying any tax thereon which is now or may be levied by the United States on the quantity sold outside of the Indian territory.

Farm products may be sold, &c.

ARTICLE XI. The Cherokee nation hereby grant a right of way not exceeding two hundred feet wide, except at stations, switches, water-stations, or crossing of rivers, where more may be indispensable to the full enjoyment of the franchise herein granted, and then only two hundred additional feet shall be taken, and only for such length as may be absolutely necessary, through all their lands, to any company or corporation which shall be duly authorized by Congress to construct a railroad from any point north to any point south, and from any point east to any point west of, and which may pass through, the Cherokee nation. Said com-

Right of way for railroads.

pany or corporation, and their employés and laborers, while constructing and repairing the same, and in operating said road or roads, including all necessary agents on the line, at stations, switches, water-tanks, and all others necessary to the successful operation of a railroad, shall be protected in the discharge of their duties, and at all times subject to the Indian intercourse laws, now or which may hereafter be enacted and be in force in the Cherokee nation.

General council.

ARTICLE XII. The Cherokees agree that a general council, consisting of delegates elected by each nation or tribe lawfully residing within the Indian territory, may be annually convened in said territory, which council shall be organized in such manner and possess such powers as hereinafter prescribed.

Census.

First. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said council, a census or enumeration of each tribe lawfully resident in said territory shall be taken under the direction of the commissioner of Indian affairs, who for that purpose is hereby authorized to designate and appoint competent persons, whose compensation shall be fixed by the Secretary of the Interior, and paid by the United States.

First general council, how composed.

Second. The first general council shall consist of one member from each tribe, and an additional member for each one thousand Indians, or each fraction of a thousand greater than five hundred, being members of any tribe lawfully resident in said territory, and shall be selected by said tribes respectively, who may assent to the establishment of said general council; and if none should be thus formally selected by any nation or tribe so assenting, the said nation or tribe shall be represented in said general council by the chief or chiefs and headmen of said tribes, to be taken in the order of their rank as recognized in tribal usage, in the same number and proportion as above indicated. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe assenting to the establishment of such council the number of members of such council to which they shall be entitled under the provisions of this article, and the persons entitled to represent said tribes shall meet at such time and place as he shall approve; but thereafter the time and place of the sessions of said council shall be determined by its action: *Provided*, That no session in any one year shall exceed the term of thirty days: *And provided*, That special sessions of said council may be called by the Secretary of the Interior whenever in his judgment the interest of said tribes shall require such special session.

Time and place of first meeting.

Sessions not to exceed 30 days.

Special sessions.

Powers of general council.

Third. Said general council shall have power to legislate upon matters pertaining to the intercourse and relations of the Indian tribes and nations and colonies of freedmen resident in said territory; the arrest and extradition of criminals and offenders escaping from one tribe to another, or into any community of freedmen; the administration of justice between members of different tribes of said territory and persons other than Indians and members of said tribes or nations; and the common defence and safety of the nations of said territory.

Laws, when to take effect.

All laws enacted by such council shall take effect at such time as may therein be provided, unless suspended by direction of the President of the United States. No law shall be enacted inconsistent with the Constitution of the United States, or laws of Congress, or existing treaty stipulations with the United States. Nor shall said council legislate upon matters other than those above indicated: *Provided, however*, That the legislative power of such general council may be enlarged by the consent of the national council of each nation or tribe assenting to its establishment, with the approval of the President of the United States.

Legislative power may be enlarged.

President of council.

Fourth. Said council shall be presided over by such person as may be designated by the Secretary of the Interior.

Secretary of council.

Fifth. The council shall elect a secretary, whose duty it shall be to keep an accurate record of all the proceedings of said council, and who shall transmit a true copy of all such proceedings, duly certified by the presiding officer of such council, to the Secretary of the Interior, and to each tribe or nation represented in said council, immediately after the sessions of said council shall terminate. He shall be paid out of the treasury of the United States an annual salary of five hundred dollars.

Pay.

Pay of members of council.

Sixth. The members of said council shall be paid by the United States the sum of four dollars per diem during the term actually in attendance on the sessions of said council, and at the rate of four dollars for every twenty miles necessarily travelled by them in going from and returning to their homes, respectively, from said council, to be certified by the secretary and president of the said council.

Courts.

ARTICLE XIII. The Cherokees also agree that a court or courts may be established by the United States in said territory, with such jurisdiction and organized in such manner as may be prescribed by law: *Provided*, That the judicial tribunals of the nation shall be allowed to retain exclusive jurisdiction in all civil and criminal cases arising within their country in which members of the nation, by nativity or adoption, shall be the only parties, or where the cause of action shall arise in the Cherokee nation, except as otherwise provided in this treaty.

Lands for missionary or educational purposes;

ARTICLE XIV. The right to the use and occupancy of a quantity of land not exceeding one hundred and sixty acres, to be selected according to legal subdivisions in one body, and to include their improvements, and not including the improvements of any member of the Cherokee nation, is hereby granted to every society or denomination which has erected, or which with the consent of the national council may hereafter erect, buildings within the Cherokee country for missionary or educational purposes.

not to be sold, except, &c.;

But no land thus granted, nor buildings which have been or may be erected thereon, shall ever be sold or [o]therwise disposed of except with the consent and approval of the Cherokee national council and of the Secretary of the Interior.

proceeds of sale

And whenever any such lands or buildings shall be sold or disposed of, the proceeds thereof shall be applied by said society or societies for like purposes within said nation, subject to the approval of the Secretary of the Interior.

The United States may settle civilized Indians in the Cherokee country.

ARTICLE XV. The United States may settle any civilized Indians, friendly with the Cherokees and adjacent tribes, within the Cherokee country, on unoccupied lands east of 96°, on such terms as may be agreed upon by any such tribe and the Cherokees, subject to the approval of the President of the United States, which shall be consistent with the following provisions, viz: Should any such tribe or band of Indians settling in said country abandon their tribal organization, there being first paid into the Cherokee national fund a sum of money which shall sustain the same proportion to the then existing national fund that the number of Indians sustain to the whole number of Cherokees then residing in the Cherokee country, they shall be incorporated into and ever after remain a part of the Cherokee nation, on equal terms in every respect with native citizens.

How may be made part of Cherokee nation.

Those wishing to preserve tribal organization, to have land set off to them;

And should any such tribe, thus settling in said country, decide to preserve their tribal organizations, and to maintain their tribal laws, customs, and usages, not inconsistent with the constitution and laws of the Cherokee nation, they shall have a district of country set off for their use by metes and bounds equal to one hundred and sixty acres, if they should so decide, for each man, woman, and child of said tribe, and shall pay for the same into the national fund such price as may be agreed on by them and the Cherokee nation, subject to the approval of the President of the United States, and in cases of disagreement the price to be fixed by the President.

to pay sum into national fund.

And the said tribe thus settled shall also pay into the national fund a sum of money, to be agreed on by the respective parties, not greater in proportion to the whole existing national fund and the probable proceeds

of the lands herein ceded or authorized to be ceded or sold than their numbers bear to the whole number of Cherokees then residing in said country, and thence afterwards they shall enjoy all the rights of native Cherokees.

Limits of places of settlement.

But no Indians who have no tribal organizations, or who shall determine to abandon their tribal organizations, shall be permitted to settle east of the 96° of longitude without the consent of the Cherokee national council, or of a delegation duly appointed by it, being first obtained. And no Indians who have and determine to preserve their tribal organizations shall be permitted to settle, as herein provided, east of the 96° of longitude without such consent being first obtained, unless the President of the United States, after a full hearing of the objections offered by said council or delegation to such settlement, shall determine that the objections are insufficient, in which case he may authorize the settlement of such tribe east of the 96° of longitude.

Where the United States may settle friendly Indians.

ARTICLE XVI. The United States may settle friendly Indians in any part of the Cherokee country west of 96°, to be taken in a compact form in quantity not exceeding one hundred and sixty acres for each member of each of said tribes thus to be settled; the boundaries of each of said districts to be distinctly marked, and the land conveyed in fee simple to each of said tribes to be held in common or by their members in severalty as the United States may decide.

Lands.

Said lands thus disposed of to be paid for to the Cherokee nation at such price as may be agreed on between the said parties in interest, subject to the approval of the President; and if they should not agree, then the price to be fixed by the President.

Possession and jurisdiction over such lands.

The Cherokee nation to retain the right of possession of and jurisdiction over all of said country west of 96° of longitude until thus sold and occupied, after which their jurisdiction and right of possession to terminate forever as to each of said districts thus sold and occupied.

Cession of lands to the United States in trust.

ARTICLE XVII. The Cherokee nation hereby cedes, in trust to the United States, the tract of land in the State of Kansas which was sold to the Cherokees by the United States, under the provisions of the second article of the treaty of 1835; and also that strip of the land ceded to the nation by the fourth article of said treaty which is included in the State of Kansas, and the Cherokees consent that said lands may be included in the limits and jurisdiction of the said State.

Lands to be surveyed and appraised;

The lands herein ceded shall be surveyed as the public lands of the United States are surveyed, under the direction of the commissioner of the general land office, and shall be appraised by two disinterested persons, one to be designated by the Cherokee national council and one by the Secretary of the Interior, and, in case of disagreement, by a third person, to be mutually selected by the aforesaid appraisers. The appraisement to be not less than an average of one dollar and a quarter per acre, exclusive of improvements.

may be sold to highest bidder.

And the Secretary of the Interior shall from time to time, as such surveys and appraisements are approved by him, after due advertisements for sealed bids, sell such lands to the highest bidders for cash in parcels not exceeding one hundred and sixty acres, and at not less than the appraised value:

Improvements.

Provided, That whenever there are improvements of the value of fifty dollars made on the lands not being mineral, and owned and personally occupied by any person for agricultural purposes at the date of the signing hereof, such person so owning, and in person residing on such improvements, shall, after due proof, made under such regulations as the Secretary of the Interior may prescribe, be entitled to buy, at the appraised value, the smallest quantity of land in legal subdivisions which will include his improvements, not exceeding in the aggregate one hundred and sixty acres; the expenses of survey and appraisement to be paid by the Secretary out of the proceeds of sale of said land:

Proviso.

Provided, That nothing in this article shall prevent the Secretary of the Interior from selling the

whole of said neutral lands in a body to any responsible party, for cash, for a sum not less than eight hundred thousand dollars.

Amendment. *Post*, p. 807.

ARTICLE XVIII. That any lands owned by the Cherokees in the State of Arkansas and in States east of the Mississippi may be sold by the Cherokee nation in such manner as their national council may prescribe, all such sales being first approved by the Secretary of the Interior.

Sales by Cherokees of lands in Arkansas.

ARTICLE XIX. All Cherokees being heads of families residing at the date of the ratification of this treaty on any of the lands herein ceded, or authorized to be sold, and desiring to remove to the reserved country, shall be paid by the purchasers of said lands the value of such improvements, to be ascertained and appraised by the commissioners who appraise the lands, subject to the approval of the Secretary of the Interior; and if he shall elect to remain on the land now occupied by him, shall be entitled to receive a patent from the United States in fee simple for three hundred and twenty acres of land to include his improvements, and thereupon he and his family shall cease to be members of the nation.

Heads of families.

ARTICLE XX. Whenever the Cherokee national council shall request it, the Secretary of the Interior shall cause the country reserved for the Cherokees to be surveyed and allotted among them, at the expense of the United States.

Lands reserved to be surveyed and allotted.

ARTICLE XXI. It being difficult to learn the precise boundary line between the Cherokee country and the States of Arkansas, Missouri, and Kansas, it is agreed that the United States shall, at its own expense, cause the same to be run as far west as the Arkansas, and marked by permanent and conspicuous monuments, by two commissioners, one of whom shall be designated by the Cherokee national council.

Boundary line to be run and marked.

ARTICLE XXII. The Cherokee national council, or any duly appointed delegation thereof, shall have the privilege to appoint an agent to examine the accounts of the nation with the government of the United States at such time as they may see proper, and to continue or discharge such agent, and to appoint another, as may be thought best by such council or delegation; and such agent shall have free access to all accounts and books in the executive departments relating to the business of said Cherokee nation, and an opportunity to examine the same in the presence of the officer having such books and papers in charge.

Agent of Cherokees to examine accounts, books, &c.

ARTICLE XXIII. All funds now due the nation, or that may hereafter accrue from the sale of their lands by the United States as hereinbefore provided for, shall be invested in United States registered stocks at their current value, and the interest on all said funds shall be paid semi-annually on the order of the Cherokee nation, and shall be applied to the following purposes, to wit: Thirty-five per cent shall be applied for the support of the common schools of the nation and educational purposes; fifteen per cent for the orphan fund, and fifty per cent for general purposes, including reasonable salaries of district officers; and the Secretary of the Interior, with the approval of the President of the United States, may pay out of the funds due the nation, on the order of the national council or a delegation duly authorized by it, such amount as he may deem necessary to meet outstanding obligations of the Cherokee nation, caused by the suspension of the payment of their annuities, not to exceed the sum of one hundred and fifty thousand dollars.

Funds, how to be invested.

Interest, how to be paid.

ARTICLE XXIV. As a slight testimony for the useful and arduous services of the Rev. Evan Jones, for forty years a missionary in the Cherokee nation, now a cripple, old and poor, it is agreed that the sum of three thousand dollars be paid to him, under the direction of the Secretary of the Interior, out of any Cherokee fund in or to come into his hands not otherwise appropriated.

Payment to Rev. Evan Jones.

ARTICLE XXV. A large number of the Cherokees who served in the army of the United States having died, leaving no heirs entitled to receive bounties and arrears of pay on account of such service, it is agreed that

Bounties and arrears for services as Indian

volunteers, how to be paid.

all bounties and arrears for service in the regiments of Indian United States volunteers which shall remain unclaimed by any person legally entitled to receive the same for two years from the ratification of this treaty, shall be paid as the national council may direct, to be applied to the foundation and support of an asylum for the education of orphan children, which asylum shall be under the control of the national council, or of such benevolent society as said council may designate, subject to the approval of the Secretary of the Interior.

Possession and protection guaranties.

ARTICLE XXVI. The United States guarantee to the people of the Cherokee nation the quiet and peaceable possession of their country and protection against domestic feuds and insurrections and against hostilities of other tribes. They shall also be protected against inter[r]uptions or intrusion from all unauthorized citizens of the United States who may attempt to settle on their lands or reside in their territory. In case of hostilities among the Indian tribes, the United States agree that the party or parties commencing the same shall, so far as practicable, make reparation for the damages done.

Military posts in Cherokee nation.

ARTICLE XXVII. The United States shall have the right to establish one or more military posts or stations in the Cherokee nation, as may be deemed necessary for the proper protection of the citizens of the United States lawfully residing therein and the Cherokees and other citizens of the Indian country. But no sutler or other person connected therewith, either in or out of the military organization, shall be permitted to introduce any spirit[u]ous, vinous, or malt liquors into the Cherokee nation, except the medical department proper, and by them only for strictly medical purposes. And all persons not in the military service of the United States, not citizens of the Cherokee nation, are to be prohibited from coming into the Cherokee nation, or remaining in the same, except as herein otherwise provided; and it is the duty of the United States Indian agent for the Cherokees to have such persons, not lawfully residing or sojourning therein, removed from the nation, as they now are, or hereafter may be, required by the Indian intercourse laws of the United States.

Spirituous, &c. liquors forbidden, except, &c.

Certain persons prohibited from coming into the nation.

Payment for certain provisions and clothing.

ARTICLE XXVIII. The United States hereby agree to pay for provisions and clothing furnished the army under Appotholehala in the winter of 1861 and 1862, not to exceed the sum of ten thousand dollars, the accounts to be ascertained and settled by the Secretary of the Interior.

Expenses of Cherokee delegations.

ARTICLE XXIX. The sum of ten thousand [dollars,] or so much thereof as may be necessary to pay the expenses of the delegates and representatives of the Cherokees invited by the government to visit Washington for the purposes of making this treaty, shall be paid by the United States on the ratification of this treaty.

Amendment. *Post*, p. 807.

Payment of certain losses by missionaries, &c.

ARTICLE XXX. The United States agree to pay to the proper claimants all losses of property by missionaries or missionary societies, resulting from their being ordered or driven from the country by United States agents, and from their property being taken and occupied or destroyed by *by* United States troops, not exceeding in the aggregate twenty thousand dollars, to be ascertained by the Secretary of the Interior.

Inconsistent treaty provisions annulled.

ARTICLE XXXI. All provisions of treaties, heretofore ratified and in force, and not inconsistent with the provisions of this treaty, are hereby reaffirmed and declared to be in full force; and nothing herein shall be construed as an acknowledgment by the United States, or as a relinquishment by the Cherokee nation of any claims or demands under the guaranties of former treaties, except as herein expressly provided.

Execution.

In testimony whereof, the said commissioners on the part of the United States, and the said delegation on the part of the Cherokee nation, have hereunto set their hands and seals, at the city of Washington, this *ninth* [nineteenth] day of July, A. D. one thousand eight hundred and sixty-six.

D. N. COOLEY, *Com'r Ind. Affairs.*
ELIJAH SELLS, *Sup't Ind. Affs.*
SMITH CHRISTIE,
WHITE CATCHER,
JAMES McDANIEL,
S. H. BENGE,
DANL. H. ROSS,
J. B. JONES.
Delegates of the Cherokee Nation, appointed by Resolution of the National Council.

In presence of —

W. H. WATSON,
J. W. WRIGHT.

Signatures witnessed by the following-named persons, the following interlineations being made before signing: On page 1st the word "the" interlined, on page 11 the word "the" struck out, and to said page 11 a sheet attached requiring publication of laws; and on page 34th the word "ceded" struck out and the words "neutral lands" inserted. Page 47½ added relating to expenses of treaty.

THOMAS EWING, JR.,
WM. A. PHILLIPS,
J. W. WRIGHT.

Ratification with amendments.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-seventh day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with amendments, by a resolution in the words and figures following, to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
July 27, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made at the city of Washington, on the nineteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, between the United States and the Cherokee nation of Indians, with the following

AMENDMENTS:

1st. Insert at the end of Article II. the following: — *Ante*, p. 799

But the Cherokee nation stipulate and agree to deliver up to the United States, or their duly authorized agent, any or all public property, particularly ordnance, ordnance stores, arms of all kinds, and quartermasters' stores, in their possession or control, which belonged to the United States or the so-called confederate states, without any reservation.

2d. Strike out the last proviso in Article XVII. and insert in lieu thereof the following: — *Ante*, p. 805.

Provided, That nothing in this article shall prevent the Secretary of the Interior from selling the whole of said lands not occupied by actual settlers at the date of the ratification of this treaty, not exceeding one hundred and sixty acres to each person entitled to pre-emption under the pre-emption laws of the United States, in a body, to any responsible party, for cash, for a sum not less than one dollar per acre.

3d. Insert at the end of Article XXIX. the following: — *Ante*, p. 806.

And the Secretary of the Interior shall also be authorized to pay the reasonable costs and expenses of the delegates of the southern Cherokees.

The moneys to be paid under this article shall be paid out of the proceeds of the sales of the national lands in Kansas.

Attest: J. W. FORNEY, *Secretary.*

Amendments assented to.

And whereas the foregoing amendments having been fully explained and interpreted to the aforenamed delegates of the Cherokee nation, they did, on the thirty-first day of July, one thousand eight hundred and sixty-six, give, on behalf of said nation, their free and voluntary assent to said amendments, in the words and figures following, to wit: —

Whereas the Senate of the United States did, on the twenty-seventh day of July, eighteen hundred and sixty-six, advise and consent to the ratification of the articles of agreement and convention, made at the city of Washington, on the nineteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, between the United States and the Cherokee nation of Indians, with the following

AMENDMENTS, to wit: —

1st. Insert at the end of Article II. the following: —

But the Cherokee nation stipulate and agree to deliver up to the United States, or their duly authorized agent, any or all public property, particularly ordnance, ordnance stores, arms of all kinds, and quartermasters' stores, in their possession or control, which belonged to the United States or the so-called confederate states, without any reservation.

3d. Strike out the last proviso in Article XVII. and insert in lieu thereof the following: —

Provided, That nothing in this article shall prevent the Secretary of the Interior from selling the whole of said lands not occupied by actual settlers at the date of the ratification of this treaty, not exceeding one hundred and sixty acres to each person entitled to pre-emption under the pre-emption laws of the United States, in a body, to any responsible party, for cash, for a sum not less than one dollar per acre.

3d. Insert at the end of Article XXIX. the following: —

And the Secretary of the Interior shall also be authorized to pay the reasonable costs and expenses of the delegates of the southern Cherokees.

The moneys to be paid under this article shall be paid out of the proceeds of the sales of the national lands in Kansas.

Now, therefore, we, the delegates on the part of the said Cherokee nation, do hereby assent and agree to the said amendments above written, the same having been explained to us and being fully understood by us.

Witness our hands and seals, this thirty-first day of July, A. D. eighteen hundred and sixty-six, at Washington, D. C.

SMITH CHRISTIE. [SEAL.]
WHITE CATCHER. [SEAL.]
JAMES McDANIEL. [SEAL.]
S. H. BENGE. [SEAL.]
DANL. H. ROSS. [SEAL.]
J. B. JONES. [SEAL.]

In presence of —

D. N. COOLEY, *Com'r Ind. Affairs.*
J. HARLAN, *U. S. Ind. Agent.*
CHARLES E. MIX,
J. W. WRIGHT,
W. R. IRWIN.

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-seventh of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendments as aforesaid.

In testimony whereof I have signed my name hereto, and have caused the seal of the United States to be affixed.

Done at the city of Washington, this eleventh day of August, in the year of our Lord one thousand eight hundred and [SEAL.] sixty-six and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

HENRY STANBERY, *Acting Secretary of State.*

APPENDIX.

APPENDIX.

No. 1.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: April 2, 1863.

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; Preamble. Vol. xii. p. 1258.

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; Vol. xii. p. 1262. 1861, ch. 3, § 5. Vol. xii. p. 257.

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; Vol. xii. p. 1266.

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; Vol. xiii. p. 730. 1861, ch. 3, § 5. Vol. xii. p. 257.

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."

Preamble. 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

the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Arkansas, Mississippi, and Florida is at an end, and is henceforth to be so regarded. The insurrection declared at an end in certain States of the Union.

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 second day of April, in the year
[SEAL.] 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; Preamble.

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 against taking part in or in anywise aiding, countenancing or abetting said unlawful proceedings; and I do exhort all judges, magistrates, marshals and officers in the service of the United States to employ all their lawful authority and power to prevent and defeat the aforesaid unlawful proceedings, and to arrest and bring to justice all persons who may be engaged therein. All citizens warned against violating neutrality laws.

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. Major-General Meade authorized to employ army and navy and militia to prevent the carrying on the enterprise.

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
[SEAL.] 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.*

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:

Decree of blockade of Matamoras and other Mexican ports declared null and void.

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
Vol. xii. p. 1258. 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 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 dispersion of insurgents,) were declared to be in a state of insurrection against the United States; Vol. xii. p. 1262. 1861, ch. 3, § 5. Vol. xii. p. 257.

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 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; Vol. xii. p. 1266. 1862, ch. 98, § 2. Vol. xii. p. 422.

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; Vol. xiii. p. 730 1861, ch. 3, § 5. Vol. xii. p. 257

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 Congress 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; Vol. xiii. p. 734. 1863, ch. 81. Vol. xii. p. 755.

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 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 Vol. xiii. p. 763

Preamble.

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;

Ante, p. 811.

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 proclamation further 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 beforenamed 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-named proclamation recited;

Error for April 2, 1866. See President's Proclamation of Oct. 7, 1867. Vol. xv. Appendix. Proclamation No. 2.

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;

Preamble.

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;

The insurrection in Texas declared to be at an end.

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.

The insurrection at an end, and peace, &c. exist throughout the United States.

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.

Thursday, Nov. 29, 1866, appointed a day of thanksgiving and praise.

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

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
[SEAL.] 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:

Rates of tonnage duty on French vessels entering ports of the United States on and after Jan. 1, 1867. 1824, ch. 4. Vol. iv. p. 2. 1828, ch. 111. Vol. iv. p. 308.

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,
[SEAL.] 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. 7.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Jan. 12, 1867.

A PROCLAMATION.

Preamble. 1860, ch. 179, §§ 15, 24. Vol. xii. p. 72.

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:

Notification and regulation as to American merchant vessels stopping or anchoring in any port, &c. in Japan, except the three opened ports.

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 [SEAL.] 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.

Preamble. 1828, ch. 111. Vol. iv. p. 308.

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 thereby 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:

Acts imposing discriminating duties of tonnage and impost within the United States to be suspended as respects vessels of the Hawaiian Islands, and their cargoes, from December 10, A. D. 1866, and to continue until, &c.

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 [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. 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 Nebraska 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 aforenamed 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:

Admission of the State of Nebraska into the Union declared to be complete.

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 [SEAL.] 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. 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:

Extraordinary session of the Senate convened for April 1, 1867.

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 [SEAL.] 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.*

INDEX

TO THE

FOREGOING PUBLIC AND PRIVATE LAWS AND RESOLUTIONS AND TO THE PROCLAMATIONS.

A.

Abandoned Lands. See *Bureau, &c.*
appropriations for bureau of.....92, 486
Abandoned Property,
acts done and proceedings had by officers, under the laws for the collection of, and for the prevention of frauds in insurrectionary districts, to come within the protection given to revenue officers.... 329
Absent Defendants,
publication may be substituted for personal service of process in certain suits in the District of Columbia..... 403
summons first to issue and a return of "not to be found" thereon..... 404
form of order of publication..... 404
sales made where there has been such service to be valid..... 404
Absentees,
on sick leave or sick furlough to be treated, as regards pensions, as though they were in the field or hospital..... 57
Academy, Military. See *Military Academy.*
appropriations for.....58, 415
Academy, Naval. See *Naval Academy.*
appropriations for.....26, 37, 490
Academy of Music of Washington, D. C.,
act of incorporation of.....52, 53
Accadi, Salvador,
pension to Adrian J. P., and Lavinia M. E., minor children of..... 598
Accounts,
of disbursing officers in navy, transfer of appropriations to settle..... 38
of collectors and assessors of internal revenue, to be adjusted to fiscal year..... 106
appointment of commissioners..... 106
judgment by default in suits upon open, in the District of Columbia, practice as to..... 404
Accounts and Vouchers,
of disbursing officers to be sent directly to the proper bureau..... 571, 572
Accrued Pensions, &c.,
provisions of law concerning..... 230
Acting Midshipmen,
entitled to one ration or commutation... 322
Active List of the Navy,
physical disqualification of officers, occasioned by wounds received in the line of duty and not incapacitating them, not to prevent promotion on..... 344
Additional Appropriations. See *Deficiency Appropriations,*
for the years ending June 30, 1866 and June 30, 1867.....14, 26, 373
Additional Clerks,
to superintendent of public printing..... 41
in the several bureaus in the Navy, authorized.....207, 208
in Post-Office Department, pay of..... 324
authorized in the office of the commissioner of pensions..... 471
clerkships to expire at the end of two years..... 471
appropriation therefor..... 471
authorized in the bureau of yards and docks..... 450
Additional Compensation,
to assessors and assistant assessors, revenue agents and inspectors in certain States..... 105
to clerks in Treasury Department....195, 196
unexpended balance of former appropriation, how expended..... 196
provision if balance is insufficient... 196
to three clerks in Attorney-General's office for services under amnesty proclamation..... 205
to the Metropolitan police force of the District of Columbia..... 321
to officers, clerks, reporters, &c. of Senate and House of Representatives, librarian of congressional library and certain others..... 323
to certain laborers and female clerks in Post-Office Department..... 324
to metropolitan police.....374, 456
how to be borne.....374, 456, 457
to officers of the revenue-cutter service.. 416
to army officers..... 422
twenty per cent to civil officers, clerks, messengers, and watchmen in the employ of the government in Washington, D. C., for one year from June 30, 1866..... 569
the additional pay to the employees of the patent office, to be paid out of the patent-office fund..... 569
this increase of pay not to apply to those whose salaries exceed $3,500 a year... 569
repeal of former acts concerning..... 569
Additional Land Districts,
the President may establish wherever he deems necessary and appoint officers.. 252
Additional Salaries,
of treasurer of mint in Philadelphia..... 202
of officers of branch mint at New Orleans and Denver..... 202
Aderton, Obadiah,
pension to..... 643
Adjutant-General,
appointment of the..... 336

Adjutant General, (continued.)
rank, pay, &c. of the..... 334
appropriations for and for office of...199, 449
additional employees in office of.... 449
Adjutant-General's Department,
hereafter to consist of what officers.. 333, 334
their several rank, pay, and emoluments 333, 334
Admiral,
grade of, in the navy, established..... 222
pay..... 223
to be the ranking officer in the navy .515, 516
secretary of, rank, pay, and allowances of..... 223, 516
Advertisements,
for bids for contracts for supplies for military service, to state what..... 92
on Pacific coast, to be published in newspapers in San Francisco and Portland..... 92
preference to be given to articles of American production..... 92
tax on, in catalogues, directories, &c.... 137
of any goods, &c. the printing of, on any United States securities, made unlawful..... 383
the printing or engraving, &c. of, in the similitude of any United States obligation or security declared unlawful.... 383
by heads of departments and judges of United States courts, in the rebel States, to be published only in the newspapers selected by the clerk of the House of Representatives.....466, 467
notices and proposals for contracts for all the executive departments, laws, treaties and proclamations, to be published only in the two newspapers in the District of Columbia, and in each equally 467
rates of pay, to be no higher than charged to individuals..... 467
printing for executive departments to be done by the government printer, when practicable..... 467
if not, at such office as the clerk of the House of Representatives may designate..... 467
tax upon, repealed..... 485
Advertising,
in Washington, D. C., for the executive departments to be in what papers..... 50
provisions concerning..... 50
Affidavits,
exempt from stamp duty..... 475
African Descent,
rights of persons of, among the Choctaws and Chickasaws.....770, 778
among the Creeks..... 786
African Race, Heads of Families of the,
sales of lands made to by, &c., confirmed..... 175
African Slave-Trade,
appropriation for the suppression of the 23, 226, 415
Agent, General,
at New York for the industrial exposition at Paris.....347, 362
limit to his term of service..... 363
Agent or Attorney,
making claim for bounty for colored soldiers to file with the claim his oath that, &c..... 368
fees of, for such services..... 368
penalty for charging, &c. more.... 368
Agricultural College,
lands granted for in Nevada..... 85
theory and practice of mining may be taught therein..... 86
in Tennessee, grant of public lands for.. 569
Agricultural Colleges,
time for complying with provisions of act granting public lands to States for, extended..... 208
when Territory becomes a State, new State entitled to benefits of act..... 208
States that have accepted act, to have five years more within which to provide one college..... 209
Agricultural Implements and Seeds,
funds for purchase of, for destitute Indians and Indian tribes within the southern superintendency..... 347
Agricultural Statistics,
appropriations for collecting and for annual and monthly reports.....201, 451
Aids to the Revenue,
per diem compensation of..... 304
Alabama,
the insurrection declared to be at an end in 813
post road established in..... 190
all public lands in, to be disposed of according to homestead law.....66, 67
See *Lands, Public.*
act to provide for the more efficient government of..... 428
constituted part of the third military district..... 428
See *Rebel States.*
Albany, New York,
made a port of delivery, within the collection district of New York..... 542
surveyor to be appointed..... 542
bond, oath, residence, duties..... 542
privileges and restrictions of former act made applicable for imports destined for Albany..... 542
privileges of warehouse acts and treasury regulations extended to the port..... 542
Albermarle,
collection district of, established..... 411
boundaries of..... 411
port of entry at Plymouth..... 411
collector, residence, salary, &c. of... 411
Alcohol,
made from distilled spirits upon which taxes have been paid to be exempt from tax..... 565
may be withdrawn from bond by curators of scientific institutions, for the sole purpose of preserving specimens, &c. without payment of the internal revenue tax, upon giving bond, &c....565, 566
conditions of bond..... 566
penalty for violation thereof.... 566
Ale. See *Beer.*
internal revenue tax upon.....164, 475
fractional parts of a barrel and how accounted.....475, 476
Alexandria and Washington R. R. Co.,
succeeded by the Washington, Alexandria, and Georgetown R. R. Co..... 248
Alexandria, Washington, and Georgetown R. R. Co.,
may use steam power to draw their cars across the Potomac, and in certain streets in Washington..... 435
corporation of Washington may make regulations..... 435

Allegheny Arsenal,
certain lots of ground adjoining, may be purchased 395
appropriation therefor 395
title to be good 395
appropriation for 486
Aliens,
coupons, &c. on bonds, &c. held by, to be taxable 5
income of, from business in the United States 138
Allen, Sally,
payment of arrears of pension of Isaac Allen to 631
Allotment,
of the justices of the Supreme Court to the circuits 433
new allotments may be made 433
how made during vacation 433
Allowance,
to officers of navy and marine corps for loss of personal effects by casualty, &c. 14
to navy officers for rent of quarters, &c., prohibition of repealed 38
to assignee for services 531
to bankrupts, by exceptions from assignments 522, 523
none to be allowed to any corporation, or joint-stock company, or any officer or member thereof 535
See *Bankruptcy.*
Alloyed Metals,
on flues of boilers to be fusible and at what temperature 227
Almanac, American Nautical,
appropriations for 37, 490
Amboy Lansing and Traverse Bay R. R. Co.,
rights of, under a land grant from the United States to the State of Michigan 78
lands granted in aid of, how to be disposed of 79
to be a public highway free to the United States 79
Amboy, &c. Railroad, (in Michigan,)
time of completion of first twenty miles of road-bed of, extended to July 1, 1867 425
Amendment,
proposed to the constitution of the United States 358, 359
American Coast Pilot,
purchase of plates and copyright of 470
American Nautical Almanac,
appropriations for the 37, 490
American Production,
preference to be given to articles of, in procuring military supplies 92
provision as to those on Pacific coast 92
American Seamen. See *Seamen.*
relief and protection of, in foreign countries 224, 413
rescue from shipwreck 413
American State Papers,
distribution of surplus copies of 361
American Vessels,
those licensed, &c. under a foreign flag during the rebellion not to be deemed, without, &c. 3, 212
Amiot Augustin,
lot of ground in St. Louis, Mo. confirmed to 580
Amnesty,
authority of the President to proclaim, repealed 377
Amnesty, (continued.)
to and among Choctaws and Chickasaws 770
property of late confederate States their possession to be surrendered to the United States 782
to and among the Creeks 786
to and among the Cherokees 799
Amoskeag Manufacturing Company,
payment to, for three cook wagons 589
Anderson, Charles F.,
payment to 577
Andrews, Sally,
pension to 587
Animals, Live,
duty on those imported 48
certain, may be imported from British America free within ten days 48
Annamasset,
office of deputy collector at, discontinued 411
Annapolis,
appropriation for naval hospital at 36
Annuities,
appropriation for expenses of delivery of, to the Pawnee, Ponca, and Yancton Sioux 278
to Indian tribes in Minnesota and Michigan 278
Apache, Cheyenne, and Arrapahoes,
treaty with, of October 17, 1865 713
the Cheyenne, Arrapahoe, and Apache tribes are united and recognized as confederated tribes by the United States .. 713
stipulations of former treaty binding on the parties hereto 713, 714
ratification, &c. 715
Apache Indians,
assent of, given to the amendments to the treaty of October 14, 1865, with the Arrapahoe and Cheyenne Indians. 709, 710
Apaches,
appropriations for the 259, 276, 492, 493
Apalachicola,
salary of collector of customs at, established 308
Apothecaries,
definition of, and special tax on 119
wholesale and retail dealers who have paid the special tax therefor, not to pay tax as 119
not to pay tax as retail dealers for selling, &c. 119, 120
certain, not to be regarded as manufacturers 151
others, to be so regarded 151
additional special tax on certain 471
Appeals,
on questions of law to the Supreme Court in cases arising under the civil rights act 29
to the Supreme Court from certain decrees of the court of claims 9, 44
to circuit court from decrees of district courts respecting certain private land claims in California 221
fee for, for first time, from decision of primary examiner to examiner in patent office 76, 77
not to be allowed until fee is paid 77
from proceedings of assistant assessors under internal revenue law, how taken 103
to be in writing, and state grounds 103
to be determined in a summary way 103

Appeals, (continued.)
from judgments of justices of the peace in the District of Columbia, not to be allowed, unless, &c. 403
proceedings in the appellate court upon such appeals 403
in bankruptcy proceedings 520
from district court to circuit courts 520
notice thereof within ten days to clerk and to assignee or creditor 520
when to be entered 520
may be waived in writing before decision thereon 520
bond to be given before allowance of 520
none allowed to Supreme Court of the United States, unless matter in dispute exceeds $2,000 520, 521
general orders regulating the practice and procedure upon 521
by creditors from decree of district court, disallowing claims 528
to the Supreme Court of the United States already taken from districts in which the sessions of the courts have been interrupted by insurrection or rebellion, to be valid, &c. 545
may be brought within one year 545
act not to apply to certain cases 545
to circuit courts from district courts may, if parties agree, be disposed of at circuit court held by district judge, in the absence of the circuit judge 545
Appendix
to diplomatic correspondence for 1865, additional copies to be printed 570
how to be bound and distributed 570
Appleton, Charles,
pension of, increased 623
Appointments
of volunteer officers and soldiers to be distributed proportionately among the States, &c. 333
this not to apply to California, Oregon, and Nevada 333
to the army to be made from qualifications and services 336
not to be made from those who have served in the military, naval, or civil service of the so-called confederate States 337
to the military academy, provisions respecting 359, 360
to the military academy, repeal of resolution in regard to mode of 487
Appraisement,
of property seized for forfeiture 180, 181
of imported merchandise at the port of New York, provisions concerning 302, 304
appointment, duties, &c. of appraiser, assistant appraisers, examiners, &c. 302, 303
officers may be required to work more than business hours 304
Appraiser
of imported merchandise appointed at New York in lieu of the appraisers now authorized by law 302
qualifications, oath, duties 302
when and how he may act by deputy 302
compensation of, and to be paid monthly 302
not to be engaged in mercantile business 303
clerks, &c. in office of, their pay, &c. 303
Appraisers,
per diem compensation of, not increased by certain act 309
general and local pay of, at Baltimore, Boston, New Orleans, Philadelphia, Portland, and San Francisco, established 308
Appraisers' Stores,
appropriations for constructing fire-proof in Philadelphia 461
Appropriations,
for the army, civil expenses, consular and diplomatic expenses, fortifications, Indian department, legislative, &c., navy, pension, and post-office department, see those *Titles*.
for invalid and other pensions 2, 398
for expenses of the removal of the library of the Smithsonian Institution 13
for deficiencies in civil expenses, for the year ending June 30, 1866 14, 324
for deficiency in pay of the army, and to reimburse Pennsylvania for money paid to the militia 32
for the naval service, for the years ending June 30, 1867, and June 30, 1868 33, 489
deficiency for public printing, for the year ending June 30, 1866 41
for Post-Office Department, for the years ending June 30, 1866, 1867, and 1868 48, 393
for support of the military academy 58, 415
for deficiencies for contingent expenses of the House of Representatives 59, 393
to reimburse the State of West Virginia for moneys expended 68
for repair, preservation, completion, and construction of certain public works 70, 418
for Rock Island arsenal 76
for support of the army, for years ending June 30, 1867, and June 30, 1868 90, 485
for pay of officers, &c. in the office of commissioner of internal revenue 170
for legislative, executive, and judicial expenses of the government 191, 440
to pay certain informers their part of fines, penalties, and forfeitures 208
to purchase certain Indian annuity goods in lieu of those destroyed by fire 208
for the consular and diplomatic expenses 224, 412
for the construction of a jail in and for the District of Columbia 231
for a House of Correction for boys in the District of Columbia 234
to grade East Capitol street and establish Lincoln Square 251
for the current and contingent expenses of the Indian Department, and fulfilling treaty stipulation with Indian tribes 255, 492
to reimburse Nebraska for expenses incurred in repelling Indian hostilities 307
for civil expenses of government 310, 457
for deficiencies in appropriations for the service of the government, for the year ending June 30, 1866 324
to supply deficiencies in the service of the government, for the year ending June 30, 1867 373, 468
to pay the rewards offered for the capture of the assassins of the President and Secretary of State 341
for carrying the mail on the post roads, established at this session of Congress 342, 343

Appropriations, (continued.)
for subsistence and clothing, &c. for destitute Indians..... 347
for expenses of the joint committee of the so-called confederate States..... 349
to reimburse Miss Clara Barton for searching for missing soldiers, and for continuing the same..... 350
for the relief of the destitute population in the District of Columbia..... 353
for general salary account of the Post-Office Department..... 354
for expenses of collecting the revenue from the customs..... 354
to carry out the joint resolution respecting quarantine and health laws..... 357
for cases to protect the plants of the collection of Frederick Pech..... 357
for negotiating treaties with certain Indian tribes..... 358
for the repair of Potomac Bridge..... 360
to pay Vermont expenses incurred in defence of the frontier from invasion from Canada..... 361
for hiring and fitting buildings for the temporary accommodation of the State Department..... 362
for participation in the Universal Exhibition at Paris..... 362
for the purchase of the law library of James L. Petigru..... 365
for cost of gold medals and rewards for the rescue of the passengers, officers, and crew, of the wrecked steamer San Francisco..... 365
for payment of certain claims against the late Territory of Nevada..... 366
for the expense of preparing a general customs revenue law..... 367
for the erection of penitentiary buildings in the Territories of Arizona, Colorado, Dakota, Idaho, Montana, Nebraska, Washington..... 377
for the purchase of ground adjoining the Allegheny arsenal..... 395
to carry out the act to establish and protect national cemeteries..... 401
for increased compensation to the officers of the revenue-cutter service..... 416
under the act for the relief of certain drafted men..... 417
under the act to authorize the building of lighthouses, &c..... 425
for the increased compensation for the district judges of the United States.... 471
for the detection, trial, and punishment of persons guilty of violations of the internal revenue laws..... 473
for the construction, preservation, and repairs of certain fortifications and other works of defence, for the year ending June 30, 1868..... 487
to pay certain debts and expenditures to the city of Washington..... 558
for expenses of joint committee on retrenchment..... 564
for the removal of the wreck of the iron steamship Scotland.....564, 565
for additional compensation to certain employees in the civil service of the government..... 569
to pay for the claims for services of certain Indian agents..... 570
for medal, &c. to Cyrus W. Field..... 574

Aqueduct, Washington,
appropriation to repair damages done to by freshets..... 374
chief engineer to have the superintendence of..... 466
Aransas,
to be port of delivery for district of Corpus Christi..... 308
Arapahoes,
appropriations for the.....271, 276, 493
Arbitration. See *Bankruptcy*.
assignees in bankruptcy may settle questions in controversy..... 525
Architects,
definition of, and special tax on,..... 121
does not include practical carpenters who labor on buildings..... 121
Ardent Spirits. See *Spirituous Liquors*.
possession of, in reservation of the Wollpah-pe Indians, to be punished..... 684
proportion of annuities may be withheld 684
the introduction and use of, among the Osage Indians to be suppressed..... 689
punishment for unlawfully furnishing, to the Indians of middle Oregon..... 752
Arickarees,
appropriations for the..... 493
Arizona Land District. See *Arizona Territory*.
established.....542, 543
Arizona Territory,
appropriations to pay for census of..... 22
for territorial expenses of..... 24
for government of.....204, 454
for Indian service in.....279, 512
net proceeds of internal revenue of, for three years to be applied to erection of penitentiaries in..... 377
limit of amount to be expended in the territory..... 377
at what places to be erected..... 377
post-routes established in..... 551
attached to surveying district of California..... 543
certain public lands in to constitute the Arizona land district.....542, 543
registers and receivers in, authorized 543
their duties and compensation.. 543
location of offices of..... 543
Arkansas,
the insurrection declared to be at an end in..... 813
all public lands in, to be disposed of according to homestead law.....66, 67
grant of lands to, in aid of extension of a railroad to Helena.....83, 84
post-road established in..... 190
former grant of lands and right of way to, and Missouri, in aid of the construction of a railroad from the Mississippi, opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary, near Fulton, with branches to Fort Smith and the Mississippi River, revived and extended for ten years..... 338
lands heretofore granted and reverted to be restored to same custody and conditions as at time reversion took place... 338
mineral lands reserved..... 338
property and troops of the United States to be carried free..... 338
additions to former grant and upon the same uses and trusts..... 338
conditions of grant and selection of lands.....338, 339

Arkansas, (continued.)
when act takes effect as to the Memphis and Little Rock and the Little Rock and Fort Smith branches of the road.. 239
act to provide for the more efficient government of..... 428
constituted part of the fourth military district..... 428
See *Rebel States*.
Armories,
appropriations for..... 485
Armory and Arsenal at Rock Island,
appropriations for..... 76
location, &c. of railroad and wagon road for benefit of.....75, 76
Armory, National, at Springfield,
appropriations for..... 91
storekeeper and paymasters at..... 335
boundaries of, may be changed for public streets, &c..... 352
rank, pay, &c. of ordnance storekeeper and paymaster at..... 423
pay of clerks at, increased..... 467
Arms and Ammunition. See *National Armory*.
sale of, by Woll-pah-pe Indians to hostile Indians forbidden..... 684
Army,
grade of general in the, revived..... 223
See "*General*, &c."
of the United States, to consist of what.. 332
number of regiments of artillery, cavalry, and infantry..... 332
professors and corps of cadets of the military academy and other forces provided by law..... 332
military bands..... 333
enlistments to be made for what term... 333
general, lieutenant-general, major-generals, brigadier-generals..... 333
adjutant-general's department.....333, 334
inspector-general's department..... 334
bureau of military justice..... 334
quartermaster's department..... 334
military storekeepers..... 334
subsistence department..... 334
medical department..... 334
pay department..... 335
corps of engineers..... 335
engineer soldiers..... 335
ordnance department..... 335
storekeeper and paymaster at Springfield..... 335
chief signal officer.....335, 336
signal duty..... 336
appointments of adjutant-generals and heads of departments..... 336
commissions not to issue until after examination..... 336
appointments to be made from qualifications and services..... 336
office of suttler abolished..... 336
articles how furnished..... 336
army officers may be detailed to act as presidents of colleges..... 336
schools for enlisted men at ports, garrisons, and permanent camps..... 336
what to be taught..... 336
buildings for school and religious purposes..... 336
persons in the military, naval, or civil service of the so-called confederate States not to be appointed to the army..... 337
officers of colored troops to be deemed officers of volunteers..... 337
Army, (continued.
chaplains, rank, pay, &c. of..... 337
for colored troops..... 337
retiring of officers of regular army..... 337
provost-marshal-general's office and bureau to cease..... 337
officers of volunteers to bear their titles and wear their uniforms..... 337
volunteer rank of regular officers to be entered on army registers..... 337
not to entitle to command or pay... 337
provision as to commutation of officers' subsistence continued one year..... 337
authority for solicitor of War Department repealed..... 337
code of regulations for the army and the militia in actual service, and for courts martial..... 338
existing regulations to be in force until, &c..... 338
act relating to brevets in the..... 517
brevets may be conferred on officers in the army for gallant conduct, &c. in the volunteer service, prior, &c..... 517
laws relating to, to be published officially in the Army and Navy Journal..... 468
Army and Navy Journal,
laws relating to the army, navy, the militia, and the marine corps to be published officially in the..... 468
rates of pay therefor..... 468
Army Appropriation,
deficiency for the pay of the..... 32
for the years ending June 30, 1867 and 1868.....90, 93, 485, 487
recruiting and pay of citizen surgeons 90, 485
pay of the army.....90, 485
commutation of subsistence and forage.....90, 485
payments in lieu of clothing.....90, 485
subsistence in kind..... 90
quartermaster's department.....90, 91
cavalry and artillery horses..... 91
officers' baggage..... 91
transportation, public transports, water.. 91
obstructions in roads, rivers, and harbors 91
hire of quarters, &c., construction of temporary huts, and repairs of public buildings at established posts..... 91
contingencies of the army.....91, 485
medical and hospital department.....91, 485
national armory..... 91
magazine for storing gunpowder..... 92
fire-proof buildings at Schuylkill arsenal, 92
bureau of refugees, freedmen, and abandoned lands.....92, 486
assistant and sub-assistant commissioners.....92, 486
clerks, stationery, and printing...92, 486
quarters and fuel.....92, 486
clothing for distribution..... 92
commissary stores.....92, 486
medical department.....92, 486
transportation.....92, 486
school superintendents.....92, 486
school-houses and asylums.....92, 486
telegraphing, and postage.....92, 486
certain balances may be applied to aid educational institutions actually incorporated for loyal refugees and freedmen..... 486
no agent or clerk, not heretofore authorized, to receive a monthly allowance of over $200..... 486

Army Appropriation, (continued.)
advertisements for bids in quartermaster's department to state what..... 92
for supplies for Pacific coast, to be published in newspapers of San Francisco and Portland..... 92
preference to be given for articles of American production..... 92
officers in military or naval service, in time of peace not to be dismissed, except, &c..... 92
superintendent and officers of military academy may be selected and detailed from any arm of service..... 92
soldiers employed as artificers or laborers in constant labor of not less than ten days in any case to have extra pay.... 93
troops of engineer and ordnance department not to have extra pay..... 93
allowance to officers for travel increased. 93
payments to discharged soldiers for clothing not drawn..... 485
artificial limbs for soldiers and seamen... 485
army medical museum..... 485
medical works for library of surgeon-general's office..... 485
expenses of commanding general's office..... 485
armories and arsenals, repairs and improvements of.....91, 485, 486
Allegheny..... 486
Champlain..... 486
Columbus..... 486
Fort Monroe..... 486
Fort Union..... 486
Frankford..... 486
Indianapolis..... 486
Kennebec..... 486
Leavenworth..... 486
New York..... 486
Pikesville..... 486
Rock Island..... 485
Saint Louis..... 486
Schuylkill..... 92
Washington..... 486
Watertown..... 486
Watervliet.....92, 486
for erection of a bridge at Rock Island... 485
ownership of bridge to be in the United States..... 485
Rock Island and Pacific Railroad Company to have right of way across island and river and free use, if, &c..... 485
to pay half cost of bridge..... 485
half expense of keeping bridge in repair..... 485
for purchase of Willard Sears estate adjoining Watertown arsenal..... 486
land in South Boston may be sold at public auction..... 486
ordnance service..... 486
general of the army, to have headquarters at Washington.....486, 487
not to be removed, suspended, or assigned to duty elsewhere, except at his own request, without the approval of the Senate..... 487
all orders and instructions relating to military operations to issue through him.....486, 487
otherwise to be void..... 487
penalty for knowingly issuing, transmitting, or obeying orders contrary hereto..... 487

Army Appropriation, (continued.)
section three of resolution of June 16, 1866, relating to the mode of making appointments to military academy repealed..... 487
fire-proof buildings in Jeffersonville, Indiana, as storehouses for government property..... 487
whipping or maiming, as a punishment for crime, forbidden in, &c. until, &c... 487
militia forces organized or in service in the rebel States to be disbanded, and further organization prohibited..... 487
travelling expenses of certain California and Nevada volunteers to be paid..... 487
amount of payment..... 487
appropriation..... 487
Army Medical Museum,
appropriation for..... 485
Army Officers,
duty and accounts of those receiving money raised for the support of freedmen and refugees..... 65
on lighthouse duty..... 312
may be detailed to act as presidents, superintendents, or professors of colleges or universities..... 336
number and how apportioned..... 336
when and how may be retired..... 337
temporary increase of pay of certain.... 422
pay of those below the rank of major-general to be increased one third for two years..... 422
of field and mounted officers..... 422
general officers may receive an additional ration for every five years' service..... 423
in computing the service of, to fix relative rank, &c. the time of all actual service is to be taken into account..... 434
emoluments of commissioned officers not increased by acts of June 20, 1864, and March 3, 1865..... 435
Army Register,
volunteer rank of regular officers, to be entered on..... 337
not to entitle to command, pay, &c. 337
Army Regulations,
for the army and militia in actual service, and for the governments of courts martial, code of, to be prepared and reported to Congress..... 338
existing to be in force until, &c..... 338
Armes, Josiah O.,
payment to, for property destroyed..... 617
Arrangement. See *Bankruptcy.*
superseding proceedings in bankruptcy by.....538, 539
Arrapahoes, Apaches, and Cheyennes,
treaty with, of October 17, 1865..... 713
See *Apaches.*
Arrapahoes. See *Cheyennes and Arrapahoes.*
treaty with of October 14, 1865.....703, 711
Arrears for Services,
as Indian volunteers among the Cherokees, how to be applied.....805, 806
Arrears of Pay and Pensions,
to heirs, &c. of certain officers actually entering upon duty, but not mustered in, within, &c..... 368
Arrest,
bankrupt not liable to, during proceedings in bankruptcy in any civil action, unless, &c..... 529
See *Bankruptcy.*

Arrest, (continued.)
discharge of debtor from, under process from courts of the United States..... 543
See *Imprisonment for Debt.*
Arrests during the Rebellion,
under order from the proper superior officer, provisions concerning..... 46
orders, how proved..... 46
removals of suits from State to United States courts 46
Arsenal
at Rock Island, resolution to enable the Secretary of War to carry out an agreement in relation to water power at the 573
Arsenals. See *Army Appropriations*.
appropriations for repairs, improvements, &c. at 91, 92, 485, 486
land for enlargement of Watervleit 92
fire-proof buildings at Schuylkill..... 92
appropriation for repairs of at Hudson city, N. J..... 310
Arsenal, United States,
appropriation, to help the sufferers by the explosion of, at Washington, D. C.... 351
by whom to be distributed..... 351
Articles
free of duty in Japan 655
Articles and Products
exempt from taxation, lists of..147–150, 475
Artificial Limbs,
disabled soldiers to whom the government furnishes, to have transportation to and from the place where they are obtained 342
for soldiers and seamen 485
Artillery,
number of regiments of in the army, and how organized..... 332
Artillery Horses,
appropriation for purchase of..... 91
"Art Union," the Ship,
name of changed to "George M. Barnard" 351
Asbury Chapel,
lot of land may be sold for benefit of congregation worshipping at, in Washington, D. C..... 246
Assassins
of President Lincoln and William H. Seward, payment and division of rewards offered for the capture of the 341, 342
Assayers,
definition of, and special tax on..... 121
Assay Office, New York,
appropriations for the 202
Assessors,
of internal revenue, appropriation for salaries and expenses of 445
not entitled to any part of salary, unless confirmed by Senate, except, &c. 445
Assessors and Assistant Assessors,
of internal revenue, appropriation for salaries, &c. of 205
duty of, as to the inspection, marking, and levying tax upon cotton 98, 99, 100
when to notify persons to render annual lists of taxable property 101
proceedings of, when persons neglect to render lists, or render false lists ...101, 102
may summon persons to appear, produce books, &c..... 101
may summon witnesses.....101, 102
summons how served 102
certificate of service to be evidence.. 102
penalty for disobeying summons..... 102
Assessors and Assistant Assessors, (continued.)
may enter premises, take views, and make up lists 102
additions to taxes for false lists.....102, 147
for neglect to render lists 102
duties of, as to notifying where lists may be examined, and as to appeals ...102, 103
when may make re-assessments..... 103
when to make lists.....103, 147
lists to contain what..... 103
when to be sent to collector..... 104
special lists when may be made 104
pay and commissions of, clerk hire, and rent of office, &c.....104, 105
additional compensation to, in certain districts 105
not to exceed five thousand dollars a year 105
commissions of, in districts whence and to which cotton and distilled spirits are shipped..... 106
accounts of, after June 30, 1864, to be adjusted to fiscal year 106
apportionment of, in cases of death, new appointments, &c. 106
no salaries to be paid, until commissioner certifies that all reports, &c. have been made 106
may, after notice, decree a forfeiture of property of pedlers for not exhibiting receipt 114
duties of, as to persons doing a business specially taxed..... 113
as to persons, &c. manufacturing tobacco, snuff, or cigars.....124–127
in estimating amount of circulation, deposits, and capital of banks, &c. when no returns are made 137
as to assessment of taxes on dividends in railroad, &c. companies in default of returns..... 139
as to taxes of successions to real estate 141
as to monthly lists made by persons, &c. liable to tax..... 150
as to distillers and rectifiers of distilled spirits 153, 154, 157
as to brewers, or producers of ale, beer, lager beer, porter, or other fermented liquors.....163, 166
not to be or become interested in the production of spirits or fermented liquors 168
to make statements under oath, as to fees, &c..... 168
penalty upon, for accepting, &c. any money, &c. for compromising, &c. any charge for violating the law relating to internal taxes..... 483
Assignees. See *Bankruptcy*.
in bankruptcy, provision as to choice of, &c. in voluntary proceedings..... 522
in involuntary proceedings..... 537
all elections or appointments of, to be subject to approval of judge 522
notice of appointment of, to be given and how 524
evidence of authority and title of...523, 524
may be required to give bond 522
their powers and duties.....522–540
suits by and against.....518, 523, 524
removal and resignation of, and filling of vacancies 525
certain persons not eligible as..... 525
may be punished for contempt 525

Assignees, (continued.)
not to be obliged to proceed if they have not funds to defray expenses..... 531
penalty upon, for receiving money, &c. except as allowed by the act 539
to keep accounts to which creditors shall have access 524
in cases of copartners 534, 535
allowance to, for services 531
commissions of 531
penalty against, for offences under the bankruptcy act 539
the word "assignee" to include "assignees" 540
Assignment, &c.
of pension or any interest therein, void.. 57
Assignments. See *Bankruptcy.*
in bankruptcy, provisions concerning... 522
in involuntary proceedings 537
what to pass by, and to relate back to what time 522
what exempt from..... 522, 523
exemption to operate as a limitation 523
to vest what in assignees 523
to be recorded and where..... 524
what to be evidence of 524
Assinaboines,
appropriations for the..... 493
Assistant Adjutants-General,
their number, pay, &c. 333, 334
Assistant Appraisers,
of imported merchandise, ten appointed in New York 302
qualifications, oath, duties 302, 303
compensation, and to be paid monthly .. 303
to act under direction of appraiser..... 302
their report, approved by appraiser, to be deemed the appraisement required by law 302
one to act as special examiner of drugs, in place of present special examiner..302, 303
one to examine damaged merchandise... 303
not to be engaged in mercantile business 303
may be required to work more than usual business hours..... 304
salaries of, established at $2,500, at
Baltimore 466
Boston..... 466
New Orleans 466
Philadelphia..... 466
Portland 466
San Francisco 466
Assistant Assessor,
may be designated to make assessments upon specified objects of taxation 472
other assistant assessors to report to 472
may act anywhere in county, if parts of district are embraced therein 472, 473
assessments to be returned where the taxes are payable..... 473
appropriation for salaries and expenses of 445
pay of, to be five dollars a day on and after March, 1867 473
allowance to, for office rent discontinued 473
Assistant Assessors,
of internal revenue, Secretary of Treasury may appoint 2
See *Assessors and Assistant Assessors.*
Assistant Attorney-General,
appropriations for the 455
Assistant Collector,
at Camden, New Jersey, to receive instructions from collector in Philadelphia 417
Assistant Collector, (continued.)
salary of 417
may enroll and license certain vessels engaged in the coasting trade and fisheries..... 417
such licenses, &c. to be valid..... 417
Assistant Commissaries-General of Subsistence,
number, rank, pay, &c. of..... 334
Assistant Commissioners,
of bureau for relief of freedmen, &c. two additional authorized..... 174
their bonds, duties, and salaries.... 174
who to have preference in the appointments of..... 174
for South Carolina and Georgia to examine claims under General Sherman's special field order. 175
Assistant Examiners,
pay of those employed as, in the patent-office..... 66
Assistant Inspectors-General,
their number, pay, &c..... 334
Assistant Inspectors of Distilleries,
appointment and duties of 156
Assistant Judge-Advocate-General,
rank, pay, and emoluments, &c. of 334
Assistant Librarians of Congress,
appointment of two additional, authorized 13
Assistant Medical Purveyors,
number, rank, pay, &c. of..... 335
to give bonds 335
Assistant Paymasters-General,
number, rank, pay, &c. of..... 335
Assistant Paymasters in the Navy,
number of, on active list..... 43
mode of appointment of 43, 70
provisions as to examinations..... 43, 70
Assistant Postmasters-General,
additional pay of 324
appropriations for the..... 201, 451
Assistant Professor of Spanish,
at West Point, pay, &c. of..... 416
Assistant Quartermasters,
number, rank, pay, &c. of..... 334
provision as to vacancies, &c..... 334
Assistant Quartermasters-General,
number, rank, pay, &c. of..... 334
Assistant Secretaries of State,
appropriations for the..... 194, 444
Assistant Secretaries of the Treasury,
Secretary may authorize one of the, to sign in his stead warrants for the payment of money, &c. 439, 440
authority how given..... 439
appropriations for the..... 444
Assistant Secretary of Interior,
additional compensation to..... 324
appropriations for the..... 197, 447
Assistant Secretary of the Navy,
appointment of an additional, for six months, authorized 54
appropriations for the 200, 450
Assistant Secretary of War,
act authorizing an, repealed 423
appropriations for the 199, 449
Assistant Solicitor of the Treasury,
office of, established..... 207
duties, salary, &c. of..... 207
Assistant Surgeon-General,
rank, pay, &c. of, ... 334
Assistant Surgeons,
in the army, number, rank, pay, &c. of.. 335
vacancies in grade of, to be filled from assistant surgeons of volunteers..... 335

Assistant Surgeons, (continued.)
promotion of these in the volunteer service 423
Assistant Treasurer,
at Philadelphia, increase of clerical force in the office of the..... 24
at Boston, may appoint certain clerks, &c. in lieu of former ones..... 202
Assistant Treasurers of the United States,
to report annually the condition of the accounts of disbursing officers remaining unchanged for three years..... 42
salaries of, established at
Boston..... 26
New York..... 26
St. Louis..... 26
appropriations for, at the several places.. 202, 203, 452, 453
for clerks, messengers, and watchmen in the offices of the.....452, 453
Assuming
to be a revenue officer, and acting as such, how punished..... 484
Asylum. See *National Asylum, &c. Naval Asylum*.
Asylum, Naval,
appropriations for.....37, 490
Asylum for the Insane,
in the District of Columbia, who may be admitted to government.....93, 94
Atlantic and Pacific Railroad Company,
act of incorporation of.....292 – 299
location of road and telegraph line..... 293
branch easterly to near Van Buren, Arkansas..... 293
powers, &c. and capital stock..... 293
board of commissioners, quorum..... 293
first meeting, notice..... 293
organization and officers..... 293
treasurer to give bonds..... 293
secretary to be sworn..... 293
to open books for subscription of stock 294
who may subscribe to stock..... 297
payments therefor, when to be made 298
first meeting of subscribers to stock..... 294
directors..... 294
to elect officers of company, make by-laws, &c..... 298
annual meetings of corporation..... 294
right of way through public lands granted to..... 294
extent of grant..... 294
to be exempt from taxation..... 294
Indian titles to be extinguished..... 294
public lands granted to, in aid of construction of railroad and telegraph line.... 294
extent and conditions of grant and selection of lands.....294, 295, 296
the word "mineral" not to include "iron or coal"..... 295
railroad, how to be constructed..... 295
gauge, rail, &c..... 295
telegraph line, how to be constructed.... 295
rates for service..... 295
other railroads may form running connections with it..... 295
lands on both sides of line of route to be surveyed..... 296
odd sections on both sides not subject to entry, pre-emption, or sale 296
pre-emption and homestead acts extended to..... 296
may take any land necessary for making road..... 296

Atlantic and Pacific Railroad Company, (continued.)
proceedings in taking land for road..296, 297
to be a post-route and military road..... 297
charges for transportation to be such as Congress directs..... 297
acceptance of conditions of act, to be in writing and within two years..... 297
annual report, rates of fare, &c..... 297, 298
may accept and hold any grant, aid, loan, &c..... 298
grant from any Indian tribe to be subject to the approval of the President of the United States..... 299
Southern Pacific Railroad may connect with..... 299
point of connection, gauge, and rates of fare..... 299
to have similar grants of land in aid of 299
Atlantic and Pacific Telegraph,
appropriations for..... 22
Atlantic Cable,
expenses of despatches over..... 415
appropriation for despatches by the, for the Department of State..... 470
Atlantic Coast. See *Public Works*.
appropriation for survey, &c. of public works on..... 418
Attachment,
writs of, from the Supreme Court of the District of Columbia, provisions concerning..... 54
to issue upon affidavit of plaintiff..... 54
affidavit to state what..... 54
may be traversed..... 54
when may be quashed..... 54
money due or to become due any pensioner not liable to..... 57
certain property of householders, &c. exempt from, in the District of Columbia 389, 390
exception..... 390
Attachments,
under State process, to continue in full force upon and after removal of suit from State court to circuit court...385, 559
on property of bankrupt dissolved by assignment in bankruptcy..... 522
See *Bankruptcy*.
Attorney-General,
appropriations for the office of the. 20, 205, 455
may employ a law clerk..... 207
additional pay to three clerks in office, for services under amnesty proclamation.. 205
to decide whether certain claims for construction of Baltimore court-house, and repairs of warehouses and wharves at Staten Island are just and proper..... 26
to determine the validity of title to lands purchased for sites of sea-coast defences..... 62
tenure and term of office of..... 430
appropriation for legal assistance to..448, 449
to approve of title to lands to be purchased as sites for permanent and temporary sea-coast defences..... 488
to approve title to lands in Wallabout Bay 492
to inquire into the condition of all the funds held by the United States in trust for the Indian tribes..... 497
to ascertain what remedy exists for the security of the United States in respect to the nonpaying stocks so held, and the value thereof..... 497

Attorney-General, (continued.)
to ascertain what proceedings should be taken for the security of the United States in respect to the same 497
to report to Congress in December, 1867 497
to decide who are the persons entitled to appropriations to the Miamies, made under treaty 515
title to lower part of City Hall Park in New York to be approved by, before purchase 564
Attorneys,
to take testimony in court of claims 194
Auctioneers,
definition of, and special tax on 119
certain persons making certain auction sales not to pay a tax 119
Auction Sales,
provision as to taxes on 119, 133, 134
Auditors of the Treasury Department,
appropriations for the offices of the..195, 196, 444–446
Auditor of Treasury for Post-Office Department,
transfer of clerks from class three to class four in office of the 394
appropriation for increased expense. 394
appropriation for the office of the...195, 196, 445, 446
Auditor, Sixth,
appropriation for office of the 195, 373
"Augusta," The Gunboat,
officers of the, may accept presents from the Emperor of Russia 646
presents may be admitted free of duty 646
Avenues,
appropriation for care, repairs, and lighting 462, 464

B.

Babbitt, Almon W.,
administrators and securities of, released from liability for money advanced to...581
Back Pay,
of colored soldiers and sailors when to be paid to widows and children 58
Bahamas, The
act to encourage telegraphic communication with 44
Bail,
under State process to continue in full force upon and after removal of suit from State court to circuit court..385, 559
exorbitant, not to be required in the District of Columbia 402
Bailiffs,
of the courts in the District of Columbia, pay of 408
Bakeman, Daniel Frederick,
pension to 621
Baldwin, Robert,
patents for lands in Missouri, to issue to, upon surrender, &c 606
Baltimore,
pay of appraisers, general and local, deputy collectors, naval officers and surveyors, and custom-house weighers, at, established 308
Baltimore and Ohio Railroad Company,
may extend its railroad into the District of Columbia 250
Baltimore and Ohio Railroad Company, (continued.)
termini of road to be agreed upon with the cities of Washington and Georgetown. 250
powers and privileges of the corporation 250
act of Congress relating to lateral roads to apply to this 250
extension to be commenced in one year and completed in two 250
Baltimore and Potomac R. R. Co.
may extend lateral railroad into the District of Columbia 387
powers, privileges, and restrictions 387
rights and immunities 387
one lateral road only to be constructed.. 387
before locating road upon, or using materials from, lands of another, assent of owner to be obtained 387
proceedings, where owner is absent or under disability 387, 388
or where terms cannot be agreed upon 388
warrant, jury, notice 388
estimating and valuing of damages.. 388
in crossing, &c. streets or ways, railroad to be so constructed as not to impede travel, &c. thereon 388
wagon ways across railroad 388
lots, &c. owned by the United States in Washington not to be entered upon or used 388
road to enter Washington and pass where, &c 388
level and grade of 388
rates for tolls and transportation of freight 388, 389
of passenger fares 389
road to be commenced in two years and completed in four 389
may make special contract for carrying the mail, and transporting persons or property for the United States 389
Congress may grant to other corporations privileges like those granted hereby... 389
may authorize additional railroads or roads 389
may prescribe rules as to speed of cars, &c. and the security of persons and property 389
no privilege granted hereby beyond the District of Columbia 389
act may be repealed, altered, &c 389
Banking Capital,
tax on, beyond the average amount invested in United States bonds 136
how assessed upon banks with branches 136
Bankruptcy,
act to establish uniform system of, throughout the United States 517
the filing of the petition to be deemed an act of 521
district courts made courts of bankruptcy 517
jurisdiction of 517, 518
to be always open for business under this act 517
authority of judge and court in term time or vacation 517, 518
may compel obedience to decrees, as circuit courts do in suits in equity 518
may sit in any place in the district.. 518
circuit courts to have general superintendence and jurisdiction of cases under this act 518

Bankruptcy, (continued.)
circuit court may act therein as a court of equity..... 518
court or any judge may act in term time or vacation..... 518
to have concurrent jurisdiction with district courts in suits by or against assignees in bankruptcy..... 518
suits to be brought within two years..... 518
rights barred not hereby revived 518
jurisdiction in bankruptcy in the District of Columbia, and in the Territories, provisions concerning..... 541
in districts not within any organized circuit, the district judge to exercise the power, &c. of a circuit court..... 541

ADMINISTRATION OF THE LAW IN COURTS OF BANKRUPTCY.

registers, one or more, to be appointed for each congressional district..... 518
mode of appointment, and who eligible..... 518
bond and conditions thereof..... 518
oath to be taken and subscribed..... 518
their powers and duties..... 519
to keep docket and send copy to clerk of district court..... 519
such clerk to make entry in his docket..... 519
may interchange duties with other registers..... 519
to state issues of fact for the court, where issues are raised and contested..... 519
may not commit for contempt..... 519
may not hear disputed adjudications or question of allowance, &c. of an order of discharge..... 519
not to be of counsel in any suit, &c..... 519
nor assignee, &c..... 519
fees of, how established, and by whom to be paid.....519, 540
may be directed by district judge to attend at any place in district to hear voluntary applications, &c... 519
travelling and incidental expenses thereof, and of attending officers, how to be paid.. 519
while so acting to have powers of district court, except, &c..... 519
removal of from office, filling vacancies, &c..... 519
depositions taken before registers and other acts done by them to be reduced to writing and signed..... 519
to be filed in clerk's office as part of proceedings..... 519
during proceedings before registers, opinion of district judge may be taken on any matters arising therein..... 520
register to make certificate to judge, &c..... 520
effect of certificate if signed..... 520
in any proceedings in bankruptcy, questions in a special case may be submitted to the court..... 520
judgment of court to be final, unless, &c..... 520
parties may make an agreement conditioned upon the decision in such special case..... 520

Bankruptcy, (continued.)
parties and witnesses summoned before registers to attend in pursuance of summons..... 520
to be entitled to protection..... 520
to be liable to process of contempt.. 520
wilful, &c. false swearing before register to be perjury, and punishable as such.... 520
persons examined before register, refusing or declining to answer, or to obey his orders, to be referred to judge..... 520
order of judge in such case..... 520

APPEALS AND PRACTICE.

appeals from district courts to circuit courts, and writs of error from circuit courts to district courts, provisions concerning.....520, 521
appeals, within what time to be taken.... 520
when to be entered..... 520
may be waived..... 520
not to be allowed without bond, &c. 520
writs of error not to be granted, unless, &c..... 520
no appeal or writ of error to the Supreme Court of the United States, unless, &c. 521
justices of Supreme Court to frame general orders to regulate practice and procedure in bankruptcy..... 521
relating to duties of officers of courts 521
fees, costs, and charges..... 521
appeals..... 521
records..... 521
general orders may be rescinded and new ones made..... 521
to be reported to Congress from time to time..... 521

VOLUNTARY BANKRUPTCY. — COMMENCEMENT OF PROCEEDINGS.

who may apply for benefit of the act.... 521
petition and in what district..... 521
to state what..... 521
schedule of debts and creditors to be annexed to petition..... 521
how to be verified and to contain what..... 521
inventory of property to be annexed.... 521
how to be verified and what to contain..... 521
the filing of such petition to be an act of bankruptcy..... 521
petitioner to be adjudged bankrupt..... 521
oath on filing the petition and before proceedings taken..... 521
warrant, how to issue, and to whom directed..... 521
marshal to act as messenger..... 521
to publish and serve notices.....521, 522
notice, how to be served, and to state what.....521, 522

ASSIGNMENTS AND ASSIGNEES.

at meeting held in pursuance of notice, register to provide..... 522
messenger to return warrant..... 522
if notice insufficient, meeting to be adjourned and new notice..... 522
if debtor dies after issuing of warrant, proceedings may continue, as if he were alive..... 522

Bankruptcy, (continued.)
assignees, one or more, to be chosen at first meeting of creditors. 522
choice to be by greater part in number and value of creditors who have proved debts..... 522
certain not to vote for, or be eligible as..... 525
judge or register to appoint in case of no choice..... 522
to signify acceptance in writing within five days..... 522
otherwise, judge or register to fill vacancy..... 522
to give bond, when required..... 522
how to be approved and how conditioned..... 522
failing to give bond, assignee to be removed and another appointed in his place..... 522
all elections and appointments subject to approval of judge..... 522
additional may be appointed..... 522
notice of appointment to be given and how..... 524
may redeem or discharge mortgage on conditional contract.....523, 524
to demand and receive all the estate assigned..... 524
to sell all unencumbered estate..... 524
court may, on petition, make orders as to sale..... 524
to keep accounts of money received. 524
creditors to have free resort thereto..... 524
to have same power as debtor to recover, &c..... 524
may prosecute pending suits..... 524
provision as to suits pending.... 524
to deposit moneys received and in what manner..... 524
to keep effects of the estate separate. 524
to make temporary investments by order of court..... 524
to make deposits to bear interest, by approval of judge or register..... 524
to give notice of meetings..... 524
and written notice of dividends. 524
may retain, out of moneys in his hands, necessary disbursements and reasonable compensation.... 525
may submit controversies to arbitration..... 525
may settle controversies..... 525
may be removed by the court..... 525
or by creditors with the assent of the court..... 525
may resign and be discharged from trust by consent of court..... 525
vacancies in office of, how filled 525
resignation, &c. of, not to release from duty of closing up trust.... 525
no liability of surety, &c. on his bond..... 525
if number is reduced, estate to vest in those remaining..... 525
may be punished for contempt, in refusing to obey lawful order of court..... 525
court may make orders..... 525
assignment, how made and what to convey..... 522
to be recorded in certain registries of deeds..... 524

Bankruptcy, (continued.)
effect of recording assignment..... 524
to relate back and how to operate... 522
to dissolve any attachment on mesne process made within four months, &c..... 522
what property of debtor exempt from assignment.....522, 523
exemption, how to operate..... 523
certain mortgages of personal property not to be invalidated thereby. 523
what property and rights to be vested in the assignee by the adjudication in bankruptcy and the appointment of assignee..... 523
property held in trust not to pass... 523
what to be evidence of assignee's title to property..... 523
suits by and against assignees.....523, 524
not to be abated by death or removal from office.....523, 524
not to be maintained against assignee, without previous notice..... 523
notice to state what, and why given..... 523
certified copy of assignment to be conclusive evidence of authority to bring suit..... 524

DEBTS AND PROOF OF CLAIMS.

debts and demands provable against the estate..... 525
liabilities as drawer, indorser, &c....525, 526
contingent debts and liabilities..... 526
liabilities as bail, surety, guarantor, &c.. 526
where the whole debt has been paid. 526
where part is paid, &c..... 526
liabilities to pay rent, or other debts, falling due at stated periods..... 526
for unliquidated damages in contracts or torts..... 526
no other debts than those specified, provable..... 526
mutual debts and credits..... 526
account to be stated and balance only proved..... 526
set-off not to be allowed of claims purchased after filing the petition. 526
persons having liens or securities, to prove balance only..... 526
if value of security exceeds the debt, what course to be taken..... 526
no part of debt to be proved, unless security is sold, or released, &c..... 526
creditors proving debts to be held to have waived all rights of action, &c..... 526
proceedings already commenced, to be deemed to be discharged..... 526
creditors whose debts are provable, not to prosecute suits to final judgment, until, &c.....526, 527
suits to be stayed, &c..... 527
if bankrupt is liable in distinct contracts, what course to be taken..... 527
proof of debts of resident creditors..... 527
of non-residents..... 527
claims to be verified by a deposition in writing and on oath or affirmation.... 527
oath by and before whom..... 527
deposition to state what..... 527
no claim to be allowed unless all statements in the deposition appear to be true..... 527

Bankruptcy, (continued.)
claims of corporations, how verified..... 527
if proof is satisfactory to register, &c. to be signed and sent to assignee..... 527
duty of assignee as to such claims and proof.....527, 528
to make entry in his books..... 528
books to be open to all..... 528
bankrupt may be examined upon oath... 528
any person may be summoned to give evidence concerning claims..... 528
if claims are presented for proof before election of assignee, and the judge doubts the validity of claim, proof may be postponed..... 528
persons accepting preferences hereafter not to prove debt or receive dividend, until everything received in preference is given up..... 528
list of debts proved to be made..... 528
creditors may act by attorney..... 528
proceedings on appeals from decree of district court disallowing claims..... 528
final judgment of circuit court to be conclusive..... 528
costs of appeal..... 528
evidences of debts left in court may be delivered, to whom and how..... 528

PROPERTY PERISHABLE AND IN DISPUTE.

proceedings in regard to perishable property..... 528
where the title is in dispute.....528, 529

EXAMINATION OF BANKRUPTS.

bankrupt may be examined upon oath.. 529
examination, how conducted..... 529
witnesses compelled to attend..... 529
proceedings if bankrupt is imprisoned, or disabled from attendance..... 529
bankrupt to be subject to the order of the court..... 529
to do all acts, &c..... 529
if bankrupt is without the district and unable to return, &c. and such absence, &c. be not wilful, he may afterward attend, as though not in default..... 529
bankrupt may correct schedule of creditors and of property..... 529
not liable to arrest in civil action during pendency of proceedings in bankruptcy, unless, &c..... 529
wife of bankrupt may be required to attend court and be examined as a witness..... 529
if she does not attend as ordered, he not to receive his discharge, unless, &c..... 529

DISTRIBUTION OF THE BANKRUPT'S ESTATE.

all creditors entitled to share in the estate pro rata, except, &c..... 529
certain wages due to operatives, clerks, and house servants to have priority.....529, 530
bail, sureties, &c. not to receive their share until proof of payment of their liability..... 530
such share may be paid into court to await, &c..... 530
after three months assignee to make report and exhibit accounts, &c. to general meeting of creditors..... 530

Bankruptcy, (continued.)
accounts of assignee to be verified by oath 530
schedule of creditors and property to be exhibited..... 530
reason to be given for not collecting any property outstanding..... 530
creditors at such meeting to decide as to division of, and of what part of, net proceeds of estate..... 530
majority in value present to decide.. 530
sum sufficient for undetermined claims, expenses, and contingencies, to be reserved..... 530
unless one half of creditors in value shall attend in person or by attorney, assignee to determine upon dividend..... 530
if dividend is ordered, register to prepare a dividend sheet..... 530
to forward by mail statement of his dividend to each creditor..... 530
dividend to be paid as court directs..... 530
like proceedings to be had after next three months or earlier..... 530
final dividend to be then declared unless, &c..... 530
other dividends to be made from time to time if necessary..... 530
after third meeting of creditors, no further meeting to be called, unless ordered by court..... 530
claims and debts that cannot be collected without unreasonable delay, may be sold by assignee under direction of the court..... 530
dividends declared, not to be disturbed by debts subsequently proved..... 530
creditors entitled to equal dividends on such debts, and to payment thereof before other payments are made to other creditors..... 530
preparatory to final dividend, assignee to submit accounts, and notify creditors.....530, 531
court to audit and pass accounts..... 531
to discharge assignee from further liability, if found correct..... 531
to order dividend..... 531
allowance to assignee for services..... 531
commissions..... 531
if assignee has not funds sufficient to defray expenses, he shall not be obliged to proceed..... 531
final dividend then to be made..... 531
in order for dividends, certain claims to have priority..... 531
fees, costs, and expenses of suits and proceedings and for custody of property..... 531
debts due the United States, taxes and assessments..... 531
debts due the State and taxes and assessments..... 531
wages due to certain persons to a certain amount for labor performed within a certain time..... 531
debts due to persons entitled to priority by law..... 531
assessment or collection of taxes by the United States or any State, not affected hereby..... 531
when either second or third meeting is not called in due time, court may order such meetings..... 531

Bankruptcy, (continued.)

BANKRUPT'S DISCHARGE AND ITS EFFECT.

bankrupt may apply to court for a discharge 531
within what time application may be made 531
notice thereof by mail and by publication to creditors to appear and show cause, &c..... 531
discharge not to be granted, or, if granted, not to be valid if, &c.....531, 532
before being granted, bankrupt to take and subscribe an oath that he has done nothing to cause the withholding or invalidation of his discharge..... 532
persons once discharged, and again bankrupt on their own application, not to be discharged, unless, &c..... 532
those a second time bankrupt may be discharged as at the first time, upon proof of payment of, or release from, all previous debts 532
creditors opposing discharge, to file specification in writing..... 532
question of fact so arising, where to be tried..... 532
certificate of discharge, form and effect of 533
certain debts not discharged under this act..... 533
debts may be proved and receive dividend 533
dividend to be deemed a payment on account..... 533
discharge not to affect the liability of copartner, joint contractor, indorser, &c.. 533
in proceedings commenced after one year from act taking effect, discharge not to be granted, unless assets pay fifty per cent of debts, unless assent, &c..... 533
discharge to release bankrupt from all debts provable..... 533
how may be pleaded..... 533
validity of may be contested..... 533
proceedings in such case..... 533
to be commenced within two years..... 533
notice to bankrupt..... 533
if court find any alleged fraudulent act proved, and that it was unknown to creditor at time of granting discharge, discharge to be annulled..... 533
if no fraud is proved, or, if proved, it was known, &c., discharge to stand 534

PREFERENCES AND FRAUDULENT CONVEYANCES.

preferences and fraudulent conveyances declared void..... 534
sales, &c. not made in the usual and ordinary course of business of the debtor, to be prima facie evidence of fraud.... 534
contracts, conveyances, &c. in trust for a creditor, void..... 534
or with intent to induce forbearance. 534
creditors receiving money, &c. as an inducement for forbearance, or for consenting to discharge, to forfeit share in dividends and double amount received. 534
such amount to be recovered by assignee..... 534

Bankruptcy, (continued.)

PARTNERSHIPS AND CORPORATIONS.

warrant may issue to take the joint and separate estate of the partnership and partner..... 534
creditors of partnership, and separate creditors of partners to prove their debts..... 534
assignee to be chosen by creditors of company.....534, 535
to keep separate accounts of assets of copartnership and of individual members 535
net proceeds of the several estates, how to be applied..... 535
certificate of discharge to be granted or refused each partner, as if proceedings were alone against him..... 535
if partners reside in different districts, the court in which the petition is filed, to retain jurisdiction..... 535
this act to apply to all moneyed business or commercial corporations and joint stock companies..... 535
proceedings by and against such companies.....535, 536
fraudulent preferences and conveyances by, to be governed by same law as individual debtors 535
no allowance or discharge to be granted to any corporation or joint stock company 535
not to any officer or member thereof 535
when corporation is declared bankrupt, its assets to be distributed among its creditors..... 535

DATES AND DEPOSITIONS.

filing of petition to be deemed the commencement of proceedings..... 535
proceedings in all cases to be deemed matters of record..... 535
how to be kept 535
not to be recorded at length..... 535
copies of records, under seal of court, to be prima facie evidence..... 536
evidence or examinations in any proceeding under this act, how and before whom may be taken..... 536
attendance of witnesses, production of books, &c. and giving of testimony, may be compelled 536

INVOLUNTARY BANKRUPTCY.

what to be deemed acts of bankruptcy.. 536
persons committing, to be adjudged bankrupts 536
proceedings in such case 536
one or more creditors may petition..... 536
their claims to amount to $250..... 536
petition to be brought within six months, &c..... 536
if persons are declared bankrupts, assignee may recover money, &c. paid, &c. contrary to this act, if creditor receiving had reasonable cause to believe, &c. 536
such creditor not to be permitted to prove his debt..... 536
upon filing petition debtor to be notified to appear and show cause..... 536
within what time to appear..... 536

Bankruptcy, (continued.)
debtor may be enjoined from disposing of his property 536, 537
the court may issue warrant to marshal for his detention, if, &c. unless he gives bail, &c. 537
may direct marshal to take possession of his property 537
copy of petition and order to show cause to be served on debtor 537
how to be served 537
further proceedings 537
allegations of petition to be summarily heard 537
proceedings may be adjourned 537
fact of alleged bankruptcy may be tried by jury 537
proceedings to be dismissed, if debtor proves that facts set forth in petition are not true, &c. 537
or that he has paid, &c. 537
respondent to recover costs 537
debtor to be declared a bankrupt, if facts set forth in petition are found to be true 537
warrant to issue, &c. 537
order of adjudication of bankruptcy to require what 537
schedule of creditor and inventory of estate 537
by whom to be prepared if bankrupt is absent, &c. 537
if debtor has failed to appear in person or by attorney, certified copy of order to be served on him 537
if petitioning creditor shall not appear and proceed on the return day, &c. the court may upon petition of other creditor of sufficient amount, proceed to adjudicate on petition without new notice to debtor 537, 538

SUPERSEDING PROCEEDINGS BY ARRANGEMENT.

at first meeting of creditors, or at any meeting specially called for that purpose, &c. three fourths in value of the creditors may determine to settle the estate by trustees 538
such decision to be reported to court 538
trustees to be nominated 538
if court approves, decision to be confirmed 538
consent of creditors to be filed 538
estate, &c. to be conveyed or delivered to trustees 538
such proceedings to bind creditors who do not assent, or who do not prove their claims 538
court shall direct all things necessary to be done 538
trustees to settle the estate, and have all the rights and powers of assignees in bankruptcy 538
if decision of creditors is not approved by the court, &c. bankruptcy proceedings to go on 538
time spent in these proceedings not to be calculated, &c. 538

PENALTIES AGAINST BANKRUPTS.

penalties against bankrupts for secreting, concealing, or removing property 539
for destroying or mutilating records, &c. 539
for other forbidden acts 539

Bankruptcy, (continued.)

PENALTIES AGAINST OFFICERS.

penalty upon judge, register, marshal, assignee, clerk, or other officer of courts, for taking, &c. any gratuity, or fee, &c. except as allowed by law 539
for forging the signature of a judge, register, or other officer of courts .. 539
the seal of the court 539
for knowingly using, or tendering in evidence, any false signature, seal, &c. 539

FEES AND COSTS.

fees for the services of the registers 540
to have priority of payment 540
before warrant issues, petitioner to deposit fifty dollars for payment of fees .. 540
if assets of estate are not sufficient to pay the fees, the person on whose petition the warrant was issued to pay the same 540
execution to issue therefor 540
fees of messenger 540
to be paid out of the estate by assignee, before any dividend is ordered 540
court may prescribe a tariff of fees 540
may reduce the fees established by this act 540

MEANING OF TERMS AND COMPUTATION OF TIME.

the words "assignee," "creditor," "messenger," to include what 540
the words "marshal," "person," "oath," to include what 540
in computing time, first day to be excluded and last day included 540, 541
when last day falls on Sunday, Fourth of July, &c. that day also to be excluded 541
jurisdiction under this act conferred upon the Supreme Court of the District of Columbia, and of the Territories, when the bankrupt resides in said District or Territories 541
in districts not within any organized circuit, the district judge to exercise power, &c. of a circuit court 541
when act takes effect 541

Banks and Bankers,
definition of, and special tax on 115
certain savings banks not to pay a tax ... 115
tax upon outstanding circulation, &c. 146
tax upon dividends of 138

Barbary Powers,
appropriations for intercourse with ... 224, 413

Barcelona,
pay of consul at, established 225

Barclay, J. Judson,
payment to 596

Bard's, Captain S. W.,
company of cavalry to be paid 90

Barge Office,
in New York, appropriation for 460

Barges,
carrying passengers, while in tow of steamers, to have fire-buckets, axes, and life-preservers 228

Barracks and Quarters,
for engineer troops, appropriations for ... 488

Barrels, Beer,
fractional parts of....164, 475
Barrels, &c. See *Internal Revenue.*
containing, or supposed to contain, distilled spirits, may be seized by, &c. when, &c. and be detained.... 482
persons drawing articles subject to tax, from those marked, to efface the tax... 482
penalty for not doing so.... 482
barrels, &c. may be forfeited.... 482
Barron, Francis,
pension to.... 628
Barton, Miss Clara,
appropriation to reimburse for amount expended in searching for missing soldiers of the army of the United States 350
printing for, to be done by public printers 350
Battalion of Engineers,
provisions concerning.... 335
pay and allowances of quartermaster sergeant of.... 393
Bawdin, James,
patent to issue to heirs of, for land at Eagle Harbor, Lake Superior.... 578
title of the United States only relinquished.... 578
Beach, Jonathan W.,
pension to.... 598
Beacons and Buoys,
appropriation for expenses of...312, 313, 458, 459
Beale, Elias,
account of, for services and allowances as a captain, to be audited and paid.... 636
Beals and Dixon,
accounts of, to be adjusted and paid, if they have legal claim for increase of contract price.... 607
Beatty, Samuel M.,
payment to, for pay and allowances as a chaplain.... 635
Beaufort,
collection district of, established.... 411
boundaries of.... 411
port of entry of.... 412
port of entry may be changed to Morehead City.... 411
collector, residence, salary, &c.... 411
Beaufort, S. C.,
salary of collector of customs at, established.... 308
Becker, Ernestine,
pension to.... 624
Beckley, John R.,
claim of, for loss of property in carrying the mail, to be audited and paid.... 644
limit to amount to be allowed.... 645
Beer,
provisions of internal revenue law for the production and taxation of ..163–167, 475
stamps for, how to be provided.... 165
fractional parts of a barrel, and how accounted....164, 475, 476
See *Internal Revenue.*
Beets,
machinery to make sugar from, to be free of duty for one year....330, 571
Beet Sugar,
machinery imported for manufacture of, to be free of duty.... 571
Behring's Straits,
survey of.... 38
Bence, Charlotte,
pension to.... 577
Benham's Island,
may be taken for use of armory, &c. at Rock Island.... 76
Benicia, California,
title of the United States to land in, granted to, in trust.... 209
Berkeley County, West Virginia,
consent of Congress to transfer of, from Virginia to West Virginia.... 350
provision as to jurisdiction of court of claims extended to.... 360
provision as to the United States direct tax in.... 568
Berry, Almira M.,
pension to.... 591
Biennial Register,
compilation and supervision of.... 324
Billiard Rooms and Bowling Alleys, Proprietors of,
definition of, and special tax on.... 120
Billiard Tables,
annual tax on.... 135
Bills of Lading, Domestic and Inland,
tax on.... 145
stamp duty on, not to apply to vessels between United States and British North America.... 475
Binding, Public,
appropriations for....41, 193, 443
Bishop, James M.,
payment to, for services as assistant assessor.... 634
Blackfeet Indians,
purchase of annuity goods for, in lieu of those destroyed by fire.... 208
appropriations for the....208, 273, 508
treaty with, of October 19, 1865.... 727
authority and jurisdiction of the United States acknowledged.... 727
persons and property of other tribes not to be first attacked.... 727
controversies to be submitted to the arbitrament of the President.... 727
Indians to withdraw from overland routes.... 728
annuities to, for twenty years.... 728
ratification, with amendment.... 729
Blake, Charles M.,
payment to, as chaplain....609, 612
Blanchard, Henry P.,
payment to, for services as marshal at Canton, China.... 626
Blank Books, Blanks, &c.,
how furnished to officers of the customs 309
Blankets, Bedding, and Stores,
in surgeon-general's department not needed for government use, may be transferred to National Home for Soldiers' and Sailors' Orphans.... 351
Blind, Institutions for the,
certain articles manufactured in, not exempt from tax.... 475
Blockade,
decree of, of Matamoras and other Mexican ports declared null and void.... 814
Board of Examiners,
for site near Portland, Maine, for fresh-water basin for iron-clad vessels of the navy.... 357
Boats, Barges, and Flats,
not used for passengers, and not propelled by steam, &c. and used exclusively for carrying coal, minerals, or agricultural products to market, to pay an annual special tax.... 136

Boggy Depot,
in Choctaw, &c. Territory, land-office established at..... 774
Boilers,
for distilling not to be made, or set up, without, &c..... 154
Boilers of Steamboats,
regulations for construction of..... 227
maximum working pressure of..... 227
safety-valves, how loaded and secured.... 227
alloyed metals on, to be fusible, and at what temperature..... 227
water-gauge and gauge-cocks..... 227
Bois Forte Band of Chippewas,
appropriations for the.....257, 274, 494
Bois Forte Indians,
treaty with, of April 7, 1866..... 765
peace and friendship..... 765
cession of lands to the United States.... 765
boundaries..... 765
the United States to set apart a reservation of not less than 100,000 acres. 765, 766
to erect thereon shop, school-house, houses for chiefs, and agency-house, and storehouse..... 766
to pay annuities for twenty years..... 766
objects thereof..... 766
to be paid on the reservation, if, &c.. 766
grant of lands not mineral to certain persons for services..... 766
inconsistent provisions of former treaties abrogated..... 766
part of treaty of September 30, 1854, to remain in full force.....766, 767
payment of expenses of delegation to Washington..... 767
ratification, with amendment.....767, 768
Bond,
of special collecting, &c. agents of Post-Office Department..... 61
of superintendent of public printing to be increased..... 347
of supervising, and local, and assistant inspectors of steamboats..... 229
penalty for buying, receiving, &c. any counterfeit, &c. with the intent that the same shall be passed as genuine..... 383
See *Penalty.*
for removal of distilled spirits from bonded warehouse, upon forfeiture of, obligors to pay what..... 483
how to be collected..... 483
to be put in suit, if, &c..... 483
Bonded Goods,
exportation of certain, and for transportation in bond, provisions concerning.. 8
Bonded Warehouse,
attached to a distillery, spirits stored in to be transferred to general bonded warehouse if conveniently located..... 482
See *Internal Revenue.*
Bonded Warehouses,
proceeds of goods sold after remaining three years in, less expenses to be paid to owners, &c..... 330
time of withdrawal of certain goods from, for consumption extended..... 8
provisions as to such withdrawal.... 8
Bonds,
of inspectors of internal revenue, provision concerning..... 484
Bonds of the United States,
treasury notes may be received in exchange for..... 31
Bonds of the United States, (continued.)
public debt not to be thereby increased..... 32
issued under the act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean may be of larger denominations than $1,000..... 255
railroad company to have the option whether they will receive them..... 255
penalty for buying, receiving, &c. any counterfeit, &c. with the intent that the same shall be passed as genuine..... 383
Bonnets,
tax upon..... 474
Books and Papers,
warrants for seizure of, any district judge may issue..... 187
Books of Account. See *Bankruptcy.*
provisions as to production, &c. of, under the bankruptcy act.....523, 536
penalty for concealing, altering, &c..... 539
Books, Papers, and Invoices. See *Frauds on the Revenue.*
warrant for seizure of, in case of suspected frauds on the revenue..... 547
Boston,
appropriation for navy-yard and hospital at.....35, 36
right of drainage bought..... 35
clerks in office of assistant treasurer at.. 202
pay of appraisers, general and local, deputy collectors, naval officers and surveyors, and custom-house weighers at, established..... 308
commissioners appointed to select a proper site for the post-office and sub-treasury in..... 573
Boston Harbor,
appropriations for sea-walls on islands in 61
Botanic Garden,
appropriation for sewer through..... 325
proposals for constructing sewer to be advertised for, &c..... 325
work, how to be let, and report..... 325
Botanic Garden and Greenhouses,
appropriations for the.....21, 193, 314, 443
Boucher, Margaret,
back pension to be paid to..... 626
Bouligny, John E.,
land claim of widow and children of, confirmed..... 635
new certificates to issue to Mary Elizabeth Bouligny..... 635
Boundary Line,
between the United States and the British possessions, expenses of commission to run the.....226, 415
survey of, between California and Oregon 465
between Oregon and Idaho..... 466
northern of New Mexico..... 466
of the Cherokee country to be run and marked..... 805
of the Creek country to be surveyed..... 788
Bounties,
for the destruction of enemies' vessels... 37
provisions concerning..... 352
See *Bounty Act.*
of colored soldiers and sailors, when to be paid to widows and children..... 58
to colored soldiers, provisions respecting.....357, 358, 367, 368
See *Colored Soldiers.*

Bounties, (continued.)
to vessels engaged in the fisheries repealed..... 328
See *Fishing Bounties.*
of deceased Indian volunteers among the Cherokees, how to be applied..... 805
Bounties to Discharged Seamen,
appropriation for..... 33
Bounty,
in applications for, where discharge has been lost, certain secondary proof may be admitted of its issue..... 423
paymaster-general to prescribe general rules therefor..... 423
Bounty Act,
for soldiers discharged on account of wounds received, &c..... 352
the words "or in the line of duty" to be how construed..... 352
Bounty, Additional,
of $100 to certain enlisted soldiers honorably discharged..... 322
when to be paid to widows, minor children or parents..... 322
of $50 to certain enlisted soldiers honorably discharged..... 322
when to be paid to widows, minor children or parents..... 322
soldiers who have sold, &c. their discharge papers or interest in bounty not entitled to bounty..... 323
applying for bounty to make oath, &c..... 323
claim for, not to be entertained, except, &c..... 323
rules for accounting, &c. officers in paying claims of widows and heirs for additional bounty..... 323
to certain Indian regiments, payment provided for..... 360
resolution declaratory of the law of..... 363
enlisted men detailed for special duty not thereby to be deprived of..... 363
Bounty Money
of marines, &c. enlisting into the navy from the army not to be deducted from prize money..... 14
Boynton, Rev. Charles B.,
payment to, as chaplain of the House of Representatives..... 613
Branch Mints,
in California, appropriations for..... 24
salary of treasurer at..... 26
at San Francisco and Denver, appropriations for the.....202, 452, 453
at New Orleans, Charlotte, and Dahlonega, may be discontinued..... 203
machinery, fixtures, &c. may be reserved or sold..... 203
Brandy,
to be imported in casks or packages of what capacity..... 328
in less quantities, if shipped after October 1, 1866, to be forfeited..... 328
from grapes, internal revenue tax on 131, 477
penalty for selling as such, any fluid not in fact such..... 477
simulated fluid to be forfeited..... 477
Brazil,
mail and steamship service with.....49, 324
to take effect when she does her part.... 49
mail steamship service between the United States and, appropriation for..... 394
acknowledgment by Congress of the resolutions of sorrow and sympathy adopted by the chambers of senators and deputies of, on the death of President Lincoln..... 572
resolution to be forwarded to the Emperor of, with the request, &c.....572, 573
Brazos de Santiago,
salary of collector of customs at, established..... 308
Breakwater, Harbor, and Ship Canal,
to connect waters of Green Bay with Lake Michigan, grant of lands to Wisconsin for..... 30
Breakwaters,
appropriations for repair, preservation, &c. of, at various places.....71, 74
Breese, Lieutenant Commander S. L.,
may be appointed to the active list of the navy..... 567
Brent, Jane D.,
pension to..... 593
Brevet Rank,
may be conferred on officers in the army for gallant conduct in the volunteer service, prior, &c..... 517
Brewer, Charles, & Co.,
payment to, as agents of owners of the Hawaiian bark "Kamahamaha V.,".. 599
Brewers,
definition of, and special tax on..... 117
provisions of the internal revenue, concerning.....163–167
relative to the production of fermented liquors..... 163
See *Internal Revenue*, p. 895.
Bribes, &c.,
penalty for offering to officers of revenue to affect their conduct.....186, 187
upon officers for receiving..... 187
Bridge,
over Big Sioux River, appropriation for. 21
may be built across the Mississippi River, at Quincy, Illinois, and railroad tracks laid thereon..... 244
mode of construction of..... 244
question of obstruction to navigation by, may be tried where..... 244
draw in, how constructed and managed..... 244
made a lawful structure, and a post route 244, 245
may be built across the Mississippi by the Chicago, Burlington, and Quincy Railroad Company..... 245
at the town of Hannibal, Missouri.. 245
between Prairie du Chien and North McGregor..... 245
between Keokuk and Hamilton..... 245
between Winona and the opposite bank of the river..... 245
between Dunleith and Dubuque.... 245
between Saint Louis and East Saint Louis.....245, 246
across the Missouri River at the city of Kansas..... 245
Bridge at Rock Island. See *Rock Island.*
appropriations for erections of..... 485
how may be used..... 485
Bridges,
tax on gross receipts of..... 475
Bridges in Washington, D. C.,
appropriations for, 17–19, 313, 325, 456, 462, 469

Bridges in Washington, D. C., (continued.)
for draw-keepers of the..... 456
for repairs, &c. of.....462, 469
Bridges over the Potomac,
surveys and estimates to be made for near Aqueduct Bridge and Long Bridge in the District of Columbia..... 574
examination to be made as to their obstructing navigation..... 574
Brigadier-Generals,
ten of the army, their pay, emoluments, and staff..... 333
British Vessel, The Magicienne,
payment to owners of, and shippers of cargo by..... 601
amount, how distributed..... 601
Brokers,
definition of, and special tax on..... 116
Brooklyn, the City,
exchange of lands to be effected with, in Wallabout Bay..... 492
Brown, Henry K.,
Secretary of War to contract with, for the erection of a bronze equestrian statue to Lieutenant-General Winfield Scott.. 571
Brunswick,
salary of collector of customs at, established..... 308
Bryant, Col. R. E.,
credit to be allowed to, in settlement of account..... 585
Buchanan and Company,
sums found due in settlement of accounts of, to be paid..... 570
Builders and Contractors,
definition of, and special tax on..... 121
Building occupied by State Department,
appropriations for general purposes of... 444
Building corner of F and Fifteenth Street,
appropriations for general purposes of. 200, 450
Building corner of F and Seventeenth Street,
appropriations for general purposes of. 200, 450
Bunting,
duty on imported..... 561
Burden of Proof,
to be on claimant of seized spirits, to show that the requirements of the law have been complied with..... 163
Bureau for Relief of Freedmen and Refugees,
act to continue in force and amend the act establishing.....173–177
act establishing, continued for two years. 173
supervision of, to extend to all loyal refugees and freedmen..... 174
two assistant commissioners to be appointed..... 174
their bonds, duties, and salaries..... 174
agents, clerks, and assistants..... 174
military officers and enlisted men may be detailed for duty..... 174
all officers and agents of, may be detailed from army, but without increase of pay 174
soldiers to be appointed when it can be done 174
all persons appointed under this act to be under military jurisdiction..... 174
officers of veteran reserve corps now in bureau may be retained..... 174
medical stores, supplies, and aid..... 174
who not to be deemed "destitute," "suffering," or "dependent"..... 174
sales of land made to "heads of families of the African race" by the tax-commissioners for South Carolina confirmed..... 175
Bureau for Relief of Freedmen and Refugees, (continued.)
leases to, when may be changed to certificates of sale..... 175
lands now unsold, how to be disposed of..... 175
other lands bid in at tax sales, except "school farms," to be disposed of in parcels..... 175
to whom, in what quantity, and for what price..... 175
not to be alienated within six years. 175
to be surveyed into lots of twenty acres each..... 175
"school farms" to be sold at public auction, subject to leases..... 175
when and for what price..... 175
lots in Port Royal and lots and houses in Beaufort..... 175
proceeds of sales, how invested and applied.....175
assistant commissioners for South Carolina and Georgia, to examine claims under General Sherman's special field order..... 175
provision for those having valid claims. 175
warrants for twenty acres..... 176
leases and certificates of sale..... 176
lands occupied by freedmen under General Sherman's order not to be restored until, &c..... 176
lands and buildings belonging to the so-called confederate States may be seized, held, used, leased, or sold..... 176
proceeds of, to be applied to education of the freed people..... 176
when bureau ceases to exist, unexpended balances to go where..... 176
commissioner to cooperate with private benevolent associations in aid of freedmen, &c..... 176
to provide buildings and furnish teachers and protection..... 176
immunities and rights of all citizens in certain States and Territories.....176, 177
military protection and jurisdiction extended..... 177
no discrimination on account of race or color, or previous condition of slavery. 177
jurisdiction of bureau not to exist in certain States, and to cease in every State when, &c..... 177
all officers, agents, &c. of bureau to take oath..... 177
Bureau of Military Justice,
to consist of what officers..... 334
Bureau of Ordnance,
in navy, office of assistant in, abolished.. 38
Bureau of Refugees, Freedmen, and Abandoned Lands,
appropriations for, for years ending June 30, 1867, and June 30, 1868.....92, 486
assistant and sub-assistant commissioners and agents.....92, 486
clerks, stationery, and printing.....92, 486
quarters and fuel.....92, 486
clothing for distribution..... 92
commissary stores.....92, 486
medical department 92, 486
transportation and telegraphing.....92, 486
school superintendents.....92, 486
school-houses and asylums.....92, 486
telegraphing and postage..... 486
certain balances may be applied to aid educational institutions actually incor-

Bureau of Refugees, Freedmen, and Abandoned Lands, (continued.)
porated for loyal refugees and freedmen 486
no agent or clerk, not heretofore authorized, to receive a monthly allowance of over $200 486
to prevent whipping or maiming as a punishment for crime, until, &c. 487
Bureau of Statistics,
established in the treasury department.. 330, 331
director of, salary and duties 331
to have franking privilege 331
statistics of commerce and navigation.... 331
report when to be submitted to Congress 331
monthly report of exports and imports... 331
value of goods, warehoused and withdrawn from warehouse 331
annual statement of vessels, enrolled, registered and licensed 331
systems of numbering vessels enrolled, registered, and licensed, may be established 331
numbers how to be marked 331
vessel ceasing to be marked, ceases to be a United States vessel 331
annual statement of merchandise in transit, warehoused and withdrawn from warehouse, &c 331
statistics of the manufactures of the United States 331
clerks to aid the director 331
expenses of bureau 331
letters and documents to and from director, on official business, to be free 331
appropriation for contingent expenses of. 373
appropriations for expenses of 446
for collecting statistics of mines and minings 446
Bureaus in the Navy Department,
appropriations for the...33, 34, 200, 201, 450, 451, 489, 491
additional clerks in, authorized 207
Burial of Soldiers,
who died in the military service of the United States during the rebellion 353
graves of, to be preserved from desecration 363
burial-places to be secured and enclosed.. 343
Burlington and Missouri River Railroad,
time for completion of extended 349
Burning Fluid,
made from materials upon which taxes have been paid to be exempt from tax 565
distillers of and of camphene need not pay special tax of $50 565
Burrall, Thomas D.,
patent of, for improvements in corn-shellers, extended 637
to be open to legal inquiry and decision 637
persons enjoying lawful use of, and purchasers of machines now in use, may continue to use 637
Burying-grounds,
their old, to be returned to the Ponca Indians 675
Bushel,
of grain, for purpose of duties, to be ascertained by weight 187
number of pounds to a 187
Bush, George W.,
pension to 597
Business,
penalty for carrying on any, on which tax is unpaid, without payment of special tax 473
Business Cards, &c.,
the printing of, on any United States security, made unlawful 383
the making of, in the similitude of any United States obligation or security, declared unlawful 383
Butchers,
definition of, and special tax on 120
having paid the special tax, not to pay tax as retail dealer 120
additional special tax on certain 471
Butler and Carpenter,
payment to in full for all claims for indemnity 23
claim of for engraving special dies for revenue stamps to be paid 470
Butter,
no special tax upon manufacturers of.... 474
Butterworth, Joshua H.,
application of, for extension of patent for improvement in safe and bank locks to be considered 636
Buxton, Marion M.,
pension to 605

C.

Cadet Engineers (Navy),
restriction as to age, and certain qualifications of, when appointed, removed.. 516
Cadets,
provisions as to appointments of, to the military academy 359
age and qualifications for admission 359, 360
appointed after January 1, 1867, from any State declared to be in rebellion, no part of appropriation to go to, until the State is restored 416
Cairo and Fulton Railroad,
lands granted to Missouri for, to be patented, whenever, &c 339
Calais, Maine,
deputy collector at, may enter and clear vessels 251
Calapooias,
appropriations for the.....264, 265, 493, 510
California,
marine mail transportation between New York and 49
post roads established in.....5, 190, 286
appropriations for Indian service in..278, 279
grant of right of way for, and of lands to aid in the construction of, the Placerville and Sacramento Valley Railroad Company, &c 95, 96
title of the United States to land in Benicia and Santa Cruz given to those places in trust 209, 210
act to quiet land titles in 218, 219
certain selections of public lands made by, confirmed 218
other selections not confirmed 218
not to receive more land for school purposes than she is entitled to 219
selections, when upon lands surveyed by authority of the United States 219
when on lands surveyed only by State authority 219
when township surveys have been made,

California, (continued.)
and plats approved, swamp and overflowed lands to be certified to State within one year 219
segregation maps and surveys of swamp and overflowed lands made by State to be examined 219
if found to conform or not to conform 219
if State claim as swamp, &c. lands, any not so represented on map, character how determined 219
list of lands selected, and of swamp lands claimed by State, to be sent to general land-office 220
may select for school purposes lands in lieu of certain sixteen and thirty-sixth sections 220
purchasers of lands of Mexican grantees, &c. 220
lines of surveys extended to lands derived from Spanish or Mexican authorities 220, 221
land not set off, subject to general land laws 221
rights of bona fide pre-emption claimants not interfered with 221
appeals to circuit court from decrees of district courts, respecting surveys of certain private land claims after July 1, 1865 221
decision of circuit court to be final 221
southern judicial district of, abolished 300
whole State forms the district of California 300
district judge, attorney, and marshal of the northern district to be the judge, &c. for the district now established 300
provision as to clerks, records, papers, and process 300, 301
survey of boundary between, and Oregon 465
payment of travelling expenses of certain volunteers of 487
grant of public lands to, for aiding in the construction of the Stockton and Copperopolis Railroad 548
appropriations for Indian service in 512
post-routes established in 551
California and Oregon Railroad Company,
and an Oregon company may locate and construct a railroad and telegraph line between Portland, Oregon, and the Central Pacific Railroad in California. 239
what part of road each company to build 239
the company first completing its part, may continue its road with consent of State 239
grant of public lands not mineral, to said companies, in aid of construction of road 239, 240, 241
extent and conditions of grant and selections of lands 240
right of way granted to said companies. 240
materials, land for stations, &c. 240
when and how patents for lands to issue. 240
roads and telegraph to be maintained and operated as one continuous line 241
if not kept in repair, Congress may put them in repair, &c. 241
companies to be governed by laws of their respective States 241
to obtain consent of States, where roads do not pass through the public lands 242
Camanches,
appropriations for the 259, 276, 493
Camanches and Kioways,
treaty with, of October 18, 1865 719
peace and friendship 719
hostile acts to be settled by arbitration 719
members of tribes committing crimes to be surrendered 720
reservation for Indians parties hereto 720
boundaries 720
no whites, except, &c. to settle thereon, unless, &c. 720
Indians to remove thereto and not to leave, unless 720
to refrain from depredations 720
not to encamp within ten miles of travelled routes or posts, &c. without consent 720
claims to other lands relinquished 720
until removal to reservation, Indians to be where 720
rules as to conduct and encampments 721
United States may build roads through their reservations and establish military posts 721
damages therefor to be ascertained and paid 721
annuities, amount, and when to be delivered 721
present number of Indians 721
census to be taken annually 721
other portions of these tribes to be urged to join this treaty 721
ratification, &c. 722
Camden,
port of, in New Jersey, annexed to the collection district of Philadelphia 417
assistant-collector appointed at 417
salary, &c. 417, 418
to receive instructions from collector at Philadelphia 417
may enroll and license certain vessels engaged in the coasting trade and fisheries 417
such licenses, &c. to be valid. 417, 418
Campbell, John W.,
credit to be allowed to, in settlement of accounts 578
Campeau, Andrew J.,
may select lands for services to Chippewas 658
Canadian District,
certain Cherokees, free negroes, and freed persons may elect to reside thereon 800
Canal and Ditch Owners,
right of way granted to, &c. 251, 253
Canals. See *Boats, Barges, and Flats.*
tax upon gross receipts from passengers and mails 135
Cannon, Modern,
of large calibre, platforms for 61
Cannon, Olivia W.,
pension to 622
to be paid from naval pension fund. 623
Canville, A. B.,
claims of, against the Osages, to be paid 688, 689
Cape Spartel. See *Morocco.*
treaty agreements respecting the light-house at 679, 681
Capital,
tax on that employed in banking 136
of State banks ceasing to exist, to be the capital as it was when the bank ceased to exist 146

Capitalization,
of the Scheldt dues, second annual instalment towards....226, 415
Capitol,
appropriations for repairs, &c. of....18, 19
extension and dome of..19, 314, 460, 468
decoration of.... 317
Capitol Police,
appropriations for....25, 192, 441, 442
increased pay to.... 327
to be appointed by the sergeant-at-arms of the Senate and sergeant-at-arms of the House.... 466
Caps,
tax upon.... 474
Captains,
number of grade of, in navy established 222
increase in grade, how made.... 222
Carpet Wools and other similar Wools,
to include what....559, 560
Carpenter, Butler and,
payment to, in full for all claims.... 23
Carpets,
to be purchased for any of the public buildings, to be of domestic manufacture.... 20
of various kinds, duty on imported.... 561
Carriages,
annual tax on.... 135
Carriers,
punishment of, in the District of Columbia, for embezzlement, &c. of goods delivered to them for carriage.... 407
Carter, John,
pension to.... 623
Cascade Railroad Company,
right of way granted to, through the public lands, and a military reserve in Washington Territory.... 31
limit to grant.... 31
lands for stations, &c.... 31
charter of company declared valid.... 31
Casks, &c.
containing, or supposed to contain, distilled spirits may be seized by, &c. when, &c. and be detained.... 482
persons drawing articles subject to tax from those marked, to efface marks... 482
penalty for not doing so.... 482
casks, &c. may be forfeited.... 482
Castine,
name of collection district of Penobscot changed to.... 33
Cattle,
importation of neat and of hides of, prohibited.... 1, 3
when and how act may be suspended... 2, 4
penalty for violation.... 4
duty on those imported alive.... 48
Cattle Brokers,
definition of, and special tax on....116, 117
Cavalry,
number of regiments of, in the army, and how organized.... 332
two to be composed of colored men 332
grade of company commissary sergeant of cavalry abolished.... 332
vacancies in the grades of officers, how filled.... 332
any part may be armed and drilled as infantry or dismounted cavalry.... 332
Cavalry Horses,
appropriation for purchase of.... 91
Cavender, John S.,
appointed manager of national asylum for disabled volunteer soldiers.... 563
Cayuses,
appropriations for the....266, 510, 511
Cemeteries,
appropriations to establish and purchase sites for national.... 310
Cemeteries. See *National Cemeteries.*
act to establish and protect national.... 399
Cemetery
and sexton's house in Mexico.... 226
Census,
to be taken of the Seminoles.... 758
Choctaws and Chickasaws.... 772
Creeks....787, 788
Cherokees.... 802
Census Office,
appropriations for expenses of the....20, 468
to pay amount due certain marshals and assistants for taking the eighth census.... 468
no payment to any one who participated in the rebellion.... 468
to pay total liabilities of....460, 461
Census Returns
of 1860, as to mortality and diseases, digest of by Edward Jarvis.... 326
Central Pacific Railroad Company
of California may extend its road eastward to connect with Union Pacific Railroad.... 80
Cereal Productions
of the United States, specimens of the, to be prepared and forwarded for exhibition at the Paris Exposition.... 563
Certificate of Discharge. See *Bankruptcy.*
when to be granted to bankrupt....532, 533
form of.... 533
Certificate of Purchase
to be given the purchaser of real estate sold for taxes.... 109
Certificate of Sale
of property for nonpayment of taxes, to transfer all right therein to purchaser 107
to be notice to corporation of transfer of stocks, &c. of delinquent.... 107
to make void outstanding certificates of stock.... 107
to be receipt for securities, or evidences of debt.... 107
under the tax law, effect of.... 568
to be prima facie evidence of the regularity and validity of sale, and of the title of purchaser.... 568
Certificates,
representing money, standing to the credit of a disbursing officer for three years, to be deposited, &c....41, 42
holders thereof to be paid.... 42
of register of treasury, that drafts for payment of warrants have been outstanding for three years to be, when to be vouchers for satisfaction of warrants 41, 42
Certificates of Deposit,
for offices of assistant treasurers.... 203
Certificates of Registry or Enrolment and License,
to issue to certain vessels.... 255
fraudulently obtaining, to work forfeiture of vessel.... 184
Certificate of Thanks,
awarded to the soldiers of New Jersey, may be sent to them free through the mails.... 371

Cession of Lands to the United States,
by the Chippewas of Saginaw, Swan Creek, and Black River 657
by the Omaha Indians 667
by the Winnebago Indians 671
by the Woll-pah-pe Snake Indians 683
by the Seminoles 756
by the Bois Forte band of Chippewas 765
by the Choctaws and Chickasaws 769
by the Creeks for homes for civilized Indians 778
by the Cherokees 804
by the Ponca Indians 675
by the Great and Little Osage Indians 687, 688
by the Cheyennes and Arrapahoes 704
Challenges of Jurors,
defendants in the District of Columbia entitled to four peremptory 407
Champion, David B.,
pension to 630
Chapel
at naval academy, appropriation for 311
Chaplains (Army),
rank, pay, &c. of 337
of colored troops 337
transportation of 337
rank and grade of 423
vacancies in office of, to be filled by the President 423
tenure of office of, allowances, &c. 423
post chaplains to be commissioned by the President 423
Charts, &c.,
to be published and furnished at cost 67
Chastas,
appropriations for the 256, 493, 494
Chatfield, Thomas,
may select lands for services to Chippewas 658
Check Lists
to be used in all elections in the District of Columbia 375
Checks,
standing to credit of disbursing officers for three years, to be deposited, &c. 41, 42
holders to be paid 42
for offices of assistant treasurers 203
Checks and Certificates of Deposit on New York,
appropriations for 454
Cheese,
no special tax required of manufacturers of 474
Chelsea Marine Hospital,
appropriations for repairs of 310
Chemnitz,
salary of the consul of the United States at, established 414
to be two thousand dollars 414
Chenery, Richard,
claim of, for beef furnished to an Indian agent to be examined and paid 633
Cherokee Delegation,
payment of expenses of 806
Cherokee Nation,
appropriations for the 279, 499
Cherokees,
expenses of delegation of Southern 326
payment for to be refunded from sales of lands 326
treaty with, of July 19, 1866 799
pretended treaty with so-called confederate States declared void 799
amnesty for offences 799, 807
Cherokees, (continued.)
public property to be surrendered 807
confiscation laws repealed and former owners restored to their rights 799
improvements 800
Cherokees, freed persons, and free negroes, electing not to reside, &c., may occupy Canadian district, &c 800
those so electing to reside there, may elect local officers, judges, &c. 800
their rights and privileges 800
entitled to representation in national council 800
remedy for unequal laws 800
courts to be established in the Indian Territory 800, 803
until United States court is established, the district court nearest the Cherokee nation to have jurisdiction of matters therein 800, 801
judicial tribunals of nation to have exclusive jurisdiction in certain civil and criminal cases 803
licenses to trade not to be granted unless, &c. 801
slavery not to exist longer 801
freedmen and free colored persons to have rights of native Cherokees 801
no pay for emancipated slaves 801
farm and other products may be sold, &c., and removed without tax 801
right of way granted to railroads 801, 802
companies and their servants to be subject to laws, &c. 801, 802
general council may be annually convened 802
how composed 802
times and places of meetings 802
length of sessions and special sessions 802
powers of 802
laws enacted by, when to take effect 802
legislative power of, may be enlarged 802
president and secretary of 802, 803
pay of secretary and of members 803
census to be taken 802
lands for missionary or educational purposes 803
not to be sold, except, &c. 803
when sold, proceeds of sale how applied 803
United States may settle civilized Indians in Cherokee country 803
how such may be made part of Cherokee nation 803
those wishing to preserve tribal organization, to have land set off to them 803
to pay a sum into the national fund 803
limits of places of settlement 804
friendly Indians may be settled where 804
boundaries of districts for, to be distinctly marked 804
lands of, how to be conveyed and held 804
possession and jurisdiction over such lands 804
cession of lands in Kansas to the United States in trust 804
lands may be included in State of Kansas 804
to be surveyed and appraised 804

Cherokees, (continued.)
may be sold to highest bidder, &c. 804, 807
lands of, in Arkansas and in States east of the Mississippi may be sold..... 805
mode of sale, &c..... 805
heads of families desiring to remove to be paid for improvements..... 805
electing to remain, to receive a patent for 320 acres..... 805
then to cease to be a member of the nation..... 805
land reserved to be surveyed and allotted 805
boundary line of Cherokee country to be run and marked..... 805
agent of Cherokees to examine their accounts with the United States, books, papers, &c..... 805
funds, how to be invested and interest paid..... 805
payment to Rev. Evan Jones..... 805
bounties and arrears for services as Indian volunteers, how to be applied.. 805, 806
possession and protection guaranteed.... 806
military posts may be established in Cherokee country..... 806
spirituous, &c. liquors prohibited..... 806
certain persons forbidden coming into nation, or remaining..... 806
payment for provisions and clothing for the army under Appotholehala..... 806
expenses of Cherokee delegations..... 806
payment of certain losses by missionaries and missionary societies..... 806
inconsistent treaty provisions annulled.. 806
ratification, with amendments..... 807
amendments assented to..... 808
Cherokee School and National Funds,
appropriation for interest on abstracted bonds of the.....279, 514
Cherokees, Southern,
expenses of, in negotiating recent treaty, awarded to, by Secretary of the Interior 513
Cherrystone, Va.,
salary of collector of customs at, established..... 308
Chesapeake Bay and Potomac River Tidewater Canal Company,
may extend its canal to the Anacostia River..... 253
may take and hold property necessary for the proper construction of extension... 253
proceedings where the land cannot be purchased, or the owner is under disability.....253, 254
tolls and charges upon said extension... 254
canal extension to be a public highway and free to the United States..... 254
to render account of receipts and expenditures when required..... 254
provisions of the act incorporating to apply to the extension..... 255
Cheyenne, Apache, and Arrapahoes,
treaty with, of October 17, 1865..... 713
See *Apaches*.
Cheyennes,
appropriations for the.....271, 276, 493
Cheyennes and Arrapahoes,
treaty with, of October 14, 1865....703, 711
perpetual peace and friendship..... 707
hostile acts to be settled by arbitration... 703
members of tribes committing crimes, &c. to be surrendered.....703, 704
Cheyennes and Arrapahoes, (continued.)
reservation for Indians, who are parties hereto..... 704
boundaries..... 704
no whites except, &c. to settle thereon, unless, &c..... 704
Indians not required to settle thereon, until, &c..... 704
a reservation, no part of which is in Kansas, to be designated for them 704, 708
Indians to remove thereto and not to leave, unless, &c..... 704
to refrain from depredations.... 704
not to encamp within ten miles of travelled routes or posts, &c. without consent..... 704
claims to other lands relinquished..... 704
boundaries thereof..... 704
until removed to reservation, Indians to be where..... 704
rules as to conduct and encampments 705
United States may build roads through reservations and establish military posts 705
damages therefor to be ascertained and paid..... 705
patent for six hundred and forty acres of land in fee simple to each of certain persons..... 705
lands, how to be selected..... 705
grant of lands to certain chiefs of bands, in reparation of outrages against certain bands.....705, 706
conditions of grants..... 706
lands, how to be selected..... 706
further compensation for property destroyed or taken by United States troops... 706
annuities for forty years..... 706
amount and when to be delivered... 706
present number of Indians..... 706
census to be taken annually..... 706
other portions of tribes to be urged to join the treaty..... 706
arrears of annuities under former treaties to be paid as soon as practicable..... 706
upon ratification hereof, the former treaty to be null..... 706
ratification advised with amendments.707, 708
amendments assented to.....708, 709
assented to by the Apache Indians.....709, 710
Chicago, Burlington, and Quincy R. R. Co.,
may construct railroad bridge across the Mississippi River.....245
Chickasaws,
appropriations for the.....258, 259, 497
Chickasaws and Choctaws,
treaty with, of April 28, 1866..... 769
See *Choctaws and Chickasaws*.
Chief Engineer of the Army,
appropriations for the office of the 199, 200, 449
additional employees in office of.....449
to perform duties now required of commissioner of public buildings..... 466
to superintend Washington Aqueduct... 466
and public works and improvements of the United States in the District of Columbia..... 466
Chief Justice of the Supreme Court of the United States,
to nominate and recommend registers of bankruptcy in each congressional district of the United States..... 518
See *Supreme Court of the United States*.

Chief Medical Purveyor
of the army, rank, pay, &c. of..... 335
to give bonds..... 335
Chief of Engineers,
appointment, rank, pay, &c..... 335
Chief of Ordnance,
appointment of..... 336
Chief Signal Officer,
rank, pay, &c. of.....335, 336
Chiefs of the Osages,
five hundred dollars to be paid to, annually..... 689
Chien, Pierre,
payment to, for services to the Crow Indians..... 499
Children,
of soldiers and sailors, provisions as to pensions to.....58, 230
China,
mail steamship service between, and San Francisco..... 49
mail steamship service between San Francisco and, appropriation for..... 394
prisons for American convicts in, appropriation for rent of..... 414
See *Japan.*
China Seas,
survey of..... 38
Chipman, Elizabeth F.,
payment to, for horse lost by her husband in the military service..... 634
Chippewas,
appropriations for the.....256, 257, 258, 261, 271, 273, 274, 370, 494–497, 504
annuity of, to be restored..... 379
treaty with, of April 7, 1866..... 765
See *Bois Forte Indians.*
Chippewas of Saginaw, Swan Creek, and Black River, Michigan,
treaty with, of October 18, 1864..... 657
townships of reserved lands, released to the United States..... 657
right to locate and purchase certain lands, released..... 657
certain lands set apart for, in Isabella county..... 657
mode and order of selections of land in lieu of those relinquished..... 657
selections by others..... 658
William Smith and others may select lands and receive patents therefor..... 658
certain Ottawas, Chippewas, and Pottawatomies, may select and hold lands.. 658
agent to make out lists of those who have made selections of lands..... 658
persons included therein to be divided into two classes..... 658
"competents," "those not so competent"..... 658
patents to those of both classes 658
manual-labor school..... 658
board of visitors..... 659
missionary society of Methodist Episcopal church, to erect suitable buildings for school, &c..... 659
to have control of school and farm, &c..... 659
annual appropriation..... 659
may be suspended..... 659
may use present school-house..... 659
if missionary society abandons school or farm it loses its rights under this treaty..... 659
if it does not accept trust..... 659
Chippewas of Saginaw, Swan Creek, and Black River, Michigan, (continued.)
if it conducts school, &c. acceptably for ten years, to have patents for land, in trust for Indians.....659, 661
part of payments to be retained for agricultural implements, stock, shops, &c. 659
mill, and land at Isabella City, may be sold..... 659
James Nicholson may select 80 acres upon, &c.....659, 660, 661
eighth article of former treaty not affected 660
amendments..... 661
Choctaws,
appropriations for the.....258, 259, 497
Choctaws and Chickasaws,
treaty with, of April 28, 1866..... 769
peace and friendship with the United States and with Indians..... 769
slavery and involuntary servitude to cease 769
cession of lands known as the leased district to the United States..... 769
purchase-money of lands to be invested and held in trust by the United States until, &c.....769, 770
provisions as to persons of African descent resident in the nation...769, 770, 778
rights of negroes and freedmen..... 770
negroes may be witnesses..... 770
freedmen to have fair pay for labor by contract, and contracts to be enforced. 770
to have as much land as they may cultivate for themselves and families..... 770
amnesty for offences against the United States, and against the Indian governments..... 770
property of the late confederate States within possession to be given up..... 782
right of way granted through their country for railroads..... 771
damages..... 771
companies and their servants subject to laws and rules..... 771
Indians may subscribe to the stock of the companies and pay therefor in contiguous lands..... 771
this stock to be a first mortgage and perpetual lien and entitled to six per cent interest or its proportion of dividends..... 771
lands thus subscribed not to be sold, &c. 771
patents for, when to be issued to companies..... 771
other lands may be selected in lieu of occupied sections..... 771
legislation, by Congress, for rights of persons and property..... 771
a general council may be convened annually..... 772
to consist of whom, and members how selected..... 772
members to which each tribe is entitled..... 772
time and place of meetings..... 772
length of sessions..... 772
special sessions..... 772
powers of..... 772
president and secretary of, and pay of secretary..... 772
pay and mileage of members..... 772
census of the tribes to be taken..... 772
courts may be established in the territory..... 773

Choctaws and Chickasaws, (continued.)
delegate from the territory to Congress.. 773
superintendent of Indian affairs to be the executive of said territory..... 773
his title and duties..... 773
secretary, marshal, and deputies, and interpreter, and their pay..... 773
in appointments of marshals and deputies, preference to be given to competent members of the nations..... 773
upper house of the council..... 773
moneys invested by virtue of existing treaties to remain invested..... 773
interest thereof, how to be applied.. 773, 774, 782
treaty obligations reaffirmed, and payment of annuities to be renewed..... 774
surveys and division of lands in severalty..... 774
land-office at Boggy Depot..... 774
maps of surveys to exhibit actual occupancies..... 774
maps when completed to be returned to land-office, and ninety days' notice given..... 774
notice, how and where to be given..... 774
provisions as to absent Choctaws and Chickasaws.....774, 775
lands may be selected for seats of justice, for schools, seminaries, and colleges... 775
each Indian to have a right to one quarter section of land..... 775
selections for infants how to be made.... 775
rights of parents in making selections for children..... 776
actual occupants to have prior right to quarter sections on which are his or her improvements..... 775
prior to surveys may abandon improvements and select other lands 775
occupation by missionaries of missionary establishments not to be interfered with 775
rights of certain missionaries..... 775
grant of lands to certain religious societies, 775
not to be sold, &c. except, &c..... 775
proceeds when sold how to be applied.....775, 776
mode of selecting lands..... 776
proof of improvements to be made prior to entries..... 776
sections sixteen and thirty-six reserved for schools..... 776
military posts and Indian agencies not to be interfered with..... 776
names of persons for whom selections are made to be in books of register 776
town lots and provisions concerning..776, 777
patents, when to issue for selected lands. 777
disputes as to selections of lands, how to be settled..... 777
contiguous selections..... 777
selections to be inalienable..... 777
citizens by adoption or intermarriage to have same rights..... 777
Kansas Indians will be received into district east, &c.....777, 778
limit as to their number..... 777
to be fellow-citizens and have same rights.....777, 778
documents in land-office, when to be given to Choctaws and Chickasaws..... 778
proceedings afterwards..... 778
selected lands to be held in severalty and the unselected in common..... 778

Choctaws and Chickasaws, (continued.)
those prevented from selecting in ninety days, may select afterwards..... 778
selections after transfer of records..... 778
selected lands abandoned for seven years, except, &c. may be rented, &c..... 778
payment by the United States for lands selected by other Indians.....778, 779
white persons marrying Indians and residing in the nation, or adopted, to be members of the nation and subject to its laws..... 779
licenses or permits to trade.....779, 782
treaty restrictions upon sales of personal property removed..... 779
witnesses in civil and criminal cases..... 779
surrender of fugitives from justice...779, 782
white persons, except, &c. not to be permitted to go into said territory, unless, &c..... 779
post-offices and mails..... 779
former rights and immunities to remain in force.....779, 780
money due under this treaty, how to be paid.....780, 782
annuities and funds to be capitalized, &c. after survey and assignment of the lands in severalty..... 780
to be divided per capita..... 780
certain sums may be retained and for what purpose..... 780
$ 25,000 to be paid commissioners of each nation for incidental expenses..... 780
commission to settle damages of loyal Indians driven from their homes....780, 782
to determine claims of loyal citizens of the United States for damages 780–782
if found to be over $ 90,000, that sum to be applied pro rata... 781
inconsistent treaty provisions declared void..... 781
ratification, with amendments.....781, 782
amendments assented to..... 783
Cholera,
quarantine, &c. regulations against the, in ports of the United States..... 357
Chorpening, George,
payment to, for property destroyed by Indians..... 609
Cigar Boxes,
penalty for disposing of empty, or of those stamped, without first defacing stamps..... 484
for refilling, without defacing stamps 484
cigar inspectors, &c. may destroy, on which a cigar stamp shall be found.... 484
Cigarettes, Cigars, and Cheroots,
tax upon.....328, 474
See *Cigars, Cigarettes, &c.*
Cigar Inspectors
to destroy empty cigar boxes, on which cigar stamp is found..... 484
Cigar-Lights,
tax upon..... 145
Cigars. See *Tobacco, &c.*
persons before making, to procure a permit..... 126
fee therefor..... 127
before making cigars in a district where they don't reside, to have their permit indorsed..... 126
authority to be indorsed on permit..... 126

Cigars, (continued.)
record of permits to be kept and to state what 126
maker of, to keep account and give copy each month to assistant assessor 126
persons having permit, upon request, may have cigars counted, and may deliver them in bulk to purchaser without payment of tax 127
purchaser to pack them and have them inspected, marked and stamped, and to pay taxes within fifteen days 127
penalty for making cigars without permit 126
for failing to make returns, or making false returns 127
for employing person without permit to make cigars 127
for neglecting to have cigars inspected, &c. 127
upon manufacture of, for making without payment of tax 473
fine and imprisonment 473
proceedings in relation to the forfeiture and sale of 474
Cigars, Cigarettes, and Cheroots,
customs duty upon 328
paper cigars and cigarettes, including wrappers, to pay same duties as cigars 328
imported cigars, how to be packed 328
how to be entered, and where placed 328
to be stamped 328
stamps to be provided 328
Circuit Courts of the United States,
judges of, to increase number of commissioners for duty under civil rights act .. 28
proceedings for the removal of certain cases from State courts to 46, 47
for the district of Virginia, when and where to be held 51
special and adjourned terms 51
jurisdiction of, and proceedings in, in matters of certain land titles in Saint Louis, Missouri 63
list of the districts composing the several circuits 209
commissioners of, may exercise the powers of justices of the peace 343
for the district of West Virginia to be held at Parkersburg, and not Lewisburg 369
in removal of suits from State courts to, when the defendant is in actual custody under State process, clerk to issue habeas corpus cum causa 385
proceedings thereon 385
attachments, bail, &c. to continue in force 385
time and place of holding in the Rhode Island district 399
provision for pending process 399
to have general superintendence and jurisdiction of questions under the bankruptcy act 518
to hear and determine such cases, as a court of equity 518
jurisdiction concurrent with district courts 518
See *Bankruptcy*.
removal of certain causes from State courts to, authorized on affidavit of either party filed in State court, that justice cannot be had in the State court 558, 559
proceedings to remove 559
Circulars,
the printing or engraving, &c. of, in the similitude of any United States obligation or security, declared unlawful 383
Circulating Notes,
appropriation for paper, special dies, and printing 195
penalty for buying, receiving, &c. any counterfeit, &c. with the intent that the same shall be passed as genuine 383
paper, special dies, and printing of 445
Circulation of Banks, &c.,
tax on 136, 137, 146, 147
of State banks after August 1, 1866, to pay tax of ten per cent 146, 147
Circuses, Proprietors of,
definition of, and special tax on 120
tax to cover only one State 120
Citizens,
immunities and rights of, declared in certain States and districts 176, 177
to be under military protection and jurisdiction 177
no discrimination on account of race, or color, or previous condition of slavery. 177
Citizens of the United States. See *Civil Rights*.
who are 27
their rights and obligations 27
Citizen Surgeons,
appropriation for, for medical attendance 90, 485
Civil Engineer,
when required at navy-yards, how to be appointed 490
Civil Engineers,
definition of, and special tax on 121
Civil Establishment at Navy-Yards and Stations,
appropriations for 36, 490, 491
Civil Expenses,
appropriations for the years ending June 30, 1867, and June 30, 1868, 310–323, 457–468
miscellaneous 310
detection and punishment of counterfeiters of coins and notes and securities of the United States 310
of persons perpetrating frauds upon the United States 310
sick and disabled seamen 310
public buildings and furniture. 310, 315, 461, 462, 464
heating and lighting buildings and streets 310, 314, 315, 462–464
arsenal at Hudson City 310
court-house, &c. at Springfield, Illinois .. 310
Chelsea marine hospital 310
national cemeteries 310
medical and surgical history of rebellion 310
medical statistics of provost-marshal-general's bureau 310
disposition of, and engraving, &c. for 311
marine corps 311
post-office, &c. at Bangor and Middletown 311
chapel at naval academy 311
coast survey 311
Atlantic and Gulf coasts 311, 457
South Florida reefs, &c. 311, 457
Western coast 311, 457
publishing and pay of civilians .. 311, 457
repairs and maintenance of vessels 311, 457
pay and rations of engineers 311, 457
Survey of Isthmus of Darien for ship canal 311

Civil Expenses, (continued.)
statistics of gold and silver mines..... 311
lighthouse establishment.....311, 457
Atlantic, Gulf, Lake, and Pacific coasts.....311, 312, 457–460
supplies, repairs of apparatus....311, 457
salaries and seamen's wages.....311, 458
beacons, buoys, chains, and sinkers..312, 458
fog-signals.....313, 458
visiting and inspecting.....312, 458
commissions to certain superintendents..... 458
repairs, renovations, and rebuilding lighthouses.....312, 458, 459
light-stations.....312, 313, 459, 460
re-establishing lights and aids to navigation on southern coast..313, 460
iron spindle on Success Rock..... 461
establishing lighthouses at various stations..... 460
range lights on Morris Island.. 460
life-saving stations, Long Island and New Jersey.....313, 460
iron lighthouse at southwest pass.....460
consul at Quebec..... 312
officers of army on lighthouse duty..... 312
President's house..... 313
Little Falls Bridge, and other bridges, including foot-bridges.....313, 315, 462, 463
interest on sums loaned to government 313
extra pay to commissioner and chief clerk of general land office..... 314
iron fences, &c..... 314
water-pipes, roads, drainage..... 314
botanic garden..... 314
escutcheons of West Virginia and Nevada..... 314
library of Congress.....314, 317
transient paupers..... 314
public grounds and squares..... 314, 315
capitol water-closets..... 314
lighting capitol, streets, &c.....314, 315
extra clerk in office of Indian affairs.... 315
north portico of patent-office building... 315
northeast executive building..... 315
salaries of commissioners to revise the statutes..... 315
temporary clerks in pension office..... 315
rooms for pension office..... 316
site, &c. for custom-house, &c. at Saint Paul..... 316
jail in District of Columbia..... 316, 464
school-houses in Washington County.... 316
pay for revision of laws of District of Columbia..... 316
Washington aqueduct.....316, 464
destitute colored women and children.... 317
Washington City to be reimbursed for expenses for streets..... 317
decoration of capitol..... 317
fire-proof building for treasury..... 317
presses, machinery, &c. in treasury buildings may be sold at auction..... 317
orphans' court and registry of wills, buildings, &c. for..... 317
general post-office building..... 318
expenses of collecting revenue from sales of public lands..... 318
accommodations for internal revenue officers..... 319
building for federal offices at Des Moines, Iowa.....319, 461
at Portland, Maine..... 319

Civil Expenses, (continued.)
treaty payments to the Seminoles....319, 320
to the Creeks..... 320
United States depositaries.....320, 321
portions of commutation fund, to pay awards for services of colored volunteers..... 321
revenue agent of New York..... 321
deficiency in mail service for 1866..... 321
pay of watchmen in public buildings established..... 321
increase of pay of metropolitan police... 321
how to be borne..... 321
property from rebel steamer Florida..... 322
midshipmen, &c. entitled to one ration, &c..... 322
minister resident in Greece..... 322
travelling expenses of First Michigan Cavalry..... 322
judicial powers of consuls in Egypt..... 322
power of consul-general at Alexandria 322
additional bounties to certain enlisted soldiers.....322, 323
soldiers selling, &c. discharge papers, &c. not to have..... 323
rules for payment of..... 323
pay and mileage of members of Congress..... 323
mileage, how estimated and certified.... 323
pay of speaker of House of Representatives..... 323
twenty per cent additional to officers, clerks, reporters, &c. of Senate and House, and certain others..... 323
preservation of harbor at Provincetown, Massachusetts..... 323
payment of balance to Charles H. Peaslee 460
barge office at New York..... 460
stone building at Suspension Bridge.... 460
rebuilding, including site, or repairs of custom-houses generally and at
Astoria..... 461
Bangor..... 311
Charleston..... 310
Machias..... 461
Middletown..... 461
New Orleans..... 460
Newport, Vt..... 461
Toledo..... 310
Wiscasset..... 460
patent-office building.....316, 460
capitol extension.....314, 460
dome of the capitol..... 460
total liabilities of census office.....460, 461
marine hospital at Louisville.....461
post-office at Astoria, Oregon..... 461
at Middletown, Conn.....461
appraisers stores at Philadelphia..... 461
vessels may load and unload at Portland, Oregon, under regulations..... 461
burglar and fire proof vaults and safes... 461
treasury building..... 461
copies of the Statutes at Large..... 461
accounts of James Tufts for census of Montana..... 461
heating apparatus for public buildings and Supreme Court room..... 461, 462
extra clerks in Indian office..... 462
Lewis Heyl, for compiling statutes on imports and index to tariff bill..... 462
transient paupers in Washington, D. C. 462
carts and tools.....462, 463
trees and tree boxes, flower-pots, &c. 462, 463
conservatory and greenhouse..... 463

Civil Expenses, (continued.)
public grounds, squares, and reservations 462–464
streets and avenues....462, 463
sewer traps, snow and ice....462, 463
lighting public buildings, grounds, and streets....462, 464
city of Washington to light lamps with seven-feet burners, for what time and on how many nights... 462
lamp-lighters, gas-fitting, lanterns, lamp-posts, &c....462, 463
lighting dome of capitol and rotunda 463, 464
electrician to operate lighting apparatus.... 463
fuel and heating apparatus.... 462, 463
purchase of library of Peter Force.... 464
bust of Pulaski.... 464
office of register of deeds in District of Columbia.... 464
department of agriculture.... 464
Smithsonian Institution, collections of exploring expeditions....316, 464
government hospital for insane....316, 464
salary of superintendent established 464
east wing, wall, coal-house.... 464
patent-office, to be paid from patent-office fund....316, 464
copyright books, charts, &c....316, 464
illustrations and descriptions for report of commissioners....316, 464
Columbian Institution for the deaf and dumb....317, 464, 465
not over ten deaf mutes may be received from the States and Territories, and how.... 464
additions to buildings, grounds, &c. 465
increased supply of water.... 465
Columbia Hospital....316, 465
Providence Hospital.... 317
registers and receivers of land offices.... 465
incidental expenses of land offices....318, 465
surveys of public lands in
Arizona.... 465
California.... 318, 465
Colorado.... 318, 465
Dakota.... 318, 465
Idaho.... 465
Kansas.... 318, 465
Minnesota.... 318, 465
Montana.... 318
Nebraska.... 318, 465
Nevada.... 318, 465
Oregon.... 318, 465
Washington.... 318, 465
survey of forty-second parallel between California and Oregon.... 465
boundary between Oregon and Idaho 466
thirty-seventh parallel northern boundary of New Mexico.... 466
office of commisioner of public buildings abolished.... 466
chief engineer of army to perform its duties.... 466
to superintend Washington aqueduct and all public works and improvements unless otherwise provided by law.... 466
sergeant-at-arms of the Senate and House to appoint capitol police.... 466
lighthouse board may apply unexpended balances on Pacific coast.... 466
may purchase sites for lighthouses, when, &c.... 466

Civil Expenses, (continued.)
the purchase-money to be paid from the amount appropriated 466
superintendents of lights, whose salaries as collectors exceed $3,000, not to receive any compensation as disbursing agent for the lighthouse establishment 466
salary of general appraiser in New York 466
of assistant appraisers in Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco 466
clerk of pardons in State Department, pay of.... 466
appropriation therefor.... 466
clerk of the House of Representatives to select newspapers in each of the ten rebel States, in which the laws, legal notices, advertisements from courts, &c. be published.... 466
pay for such publication.... 466, 467
heads of executive departments and judges of the courts to be notified. 467
to publish only in such papers.. 467
no money to be paid for publications and advertisements except in conformity hereto.... 467
rates of pay in all the States for publishing the laws.... 467
Secretary of Treasury may sell at auction the buildings and grounds known as the custom-house at
Alexandria.... 467
New Haven.... 467
Norfolk.... 467
Perth Amboy.... 467
Portsmouth.... 467
Sackett's Harbor.... 467
may execute and deliver all needful conveyances to the purchasers.... 467
Secretary of the Interior to examine and report upon the condition of the public buildings in New Mexico, with estimates.... 467
advertisements, notices, and proposals for contracts of executive departments, and laws, proclamations, and treaties to be published in the two daily newspapers in the District of Columbia, and in each equally.... 467
and in no other District of Columbia papers.... 467
rates of pay.... 467
printing for executive departments to be done by the government printer when practicable.... 467
if not, where to be done, and rates of pay.... 467
repeal of inconsistent laws respecting advertisements.... 467
pay of clerks at arsenal in Springfield may be increased to $1,200 per annum. 467
laws relating to the army, navy, militia, and the marine corps may be published in the Army and Navy Journal, and at what rates.... 468

Civil Offices,
act regulating the tenure of certain.... 430
persons holding or appointed to, to hold the same until successor is appointed and qualified.... 430
secretaries of departments to hold office, &c.... 430
subject to removal with the consent of the Senate.... 430

Civil Offices, (continued.)
civil officers, except, &c. becoming disqualified or incapacitated, the President may suspend and appoint persons temporarily to 430
such persons to take oath and give bond. 430
to receive salary, &c. 430
suspensions and appointments to be reported to Senate 430
if Senate concur, President may remove the officer and appoint a successor 430
if Senate does not concur, suspended officer to resume his duties 430
during suspension, salary to belong to officer performing the duties 430
suspension may be revoked before report to Senate, and officer be reinstated 430
vacancies happening during the recess of the Senate, how to be filled 430, 431
if no appointment is made to, office to remain in abeyance 431
no term of office extended by this act 431
penalty for accepting or exercising office contrary to this act 431
for removing, appointing, employing, or issuing, &c. a commission, &c. to any person contrary to this act 431
secretary of Senate, at end of each session, to furnish to Secretary of Treasury and his assistants, to auditors, comptrollers, and to the treasurer and register of the treasury, list of nominations and rejections 431
President to notify the Secretary of Treasury when he has made an appointment to office without the consent of the Senate 431
Secretary to notify the proper accounting and disbursing officers of his department 431
money not to be paid to, or received by, any person contrary to this act 431
no claim, account, &c. for such payment to be approved, &c. 431
penalty for violations hereof 431, 432

Civil Rights,
act to protect and vindicate for all 27
who are citizens of the United States 27
their rights and obligations 27
penalty for depriving, under color of law, &c. any person of any right secured hereby by reason of color or race 27
courts of the United States, to have jurisdiction 27
suits in State courts may be removed on motion of defendant 27
jurisdiction how exercised and enforced .. 27
district attorneys to institute proceedings for violation of this act 28
number of commissioners of circuit and territorial courts to be increased 28
their authority under this act 28
marshals and deputies to obey precepts 28
penalty for refusal 28
commissioners may appoint persons to execute warrants 28
authority of such persons 28
warrants to run where 28
penalty for obstructing process under this act 28
for rescuing or attempting to rescue 28, 29
for aiding to escape 28, 29
for harboring or concealing with knowledge 28, 29

Civil Rights, (continued.)
fees of district attorneys, commissioners, clerks, marshals, &c. 29
how to be paid, and recoverable of defendant 29
President may direct the judge and others to attend, &c. for more speedy trial of persons charged with violating this act 29
may enforce act with the military and naval forces 29
appeal to the federal supreme court on questions of law 29

Civilized Indians. See *Kansas Indians*.
certain, known as Kansas Indians, provisions concerning 777–779
may be settled in the Cherokee country 803, 804

Clackamas,
appropriations for the 265, 493

Claim Agents,
fees of, in certain matters pertaining to pensions 57
definition of, and special tax on 118

Claimants,
of property seized for forfeiture under customs' revenue law 181
when to file claim, and to state what 181

Claims,
for supplies and stores taken or used by the Union troops, or for injuries caused by them in any State, &c. declared in insurrection, or, &c. not to be entertained by the court of claims 397, 398
of certain Kentucky militia forces, called out under the command of John S. Fish, to be investigated and paid 565
for certain quartermasters' stores furnished to forces under the command of Major-General Lewis Wallace, and duly receipted for, to be entertained by the court of claims 572

Claims under Bankruptcy Act,
proof of against estate of bankrupt ..525, 526
of corporations, how verified 527
proceedings where, before choice of assignee, the judge doubts the validity of a claim 528
no debts except those specified to be provable 526

Clark, Charles,
allowance to, in settlement of accounts for public money lost by fire 640

Clarke, Edward St. Clair,
allowance to, in settlement of accounts for public funds lost by theft and without his neglect 624

Clarke, James G.,
payment to, as acting chargé d'affaires .. 583

Clarke, R. L. B.,
payment to 585

Clements, Jane,
pension to 619
entitled to benefit of second section of act in regard to minor children of deceased soldiers, if, &c. 619

Clerk,
of the Supreme Court of the District of Columbia, accounts of, how to be settled 309

Clerk of Pardons,
in the Department of State, pay of, for extraordinary services of 466
appropriation 466

Clerk of the House of Representatives,
duty of, in preparing for the organization of the succeeding House..... 397
to make roll of representatives elect..... 397
names of what members to be placed on roll..... 397
if clerk is unable to perform the duty, who to act in his stead..... 397
to select newspapers in the ten rebel States in which the laws, treaties, legal notices, advertisements, &c. shall be published..... 466
to fix rates of compensation therefor.466, 467
these rates to be the rates in all the States 467
heads of executive departments and judges to be notified, and they are to publish only in such papers..... 467
no money to be paid for advertisements, &c. not according to this law..... 467
Clerks,
increase of, in Post-Office Department... 3
in office of assistant treasurer at Boston, authorized..... 202
appointment of, in district courts in Washington Territory..... 288
of navy-yards, to commandants of navy-yards, and to naval storekeepers, pay of, increased twenty-five per cent..... 345
number and classification of, in the office of the commissioner of internal revenue..... 170
certain, authorized in the bureau of yards and docks..... 450
one authorized in the bureau of steam engineering..... 450
authorized in the office of the commissioner of pensions..... 471
at the United States armory, Springfield, pay of, increased to $1,200 a year.... 467
Clerks of District Courts,
to keep minute-book in office under bankruptcy act..... 519
to enter therein memoranda of docket of registers..... 519
penalties against, for offences under the bankruptcy act..... 539
Clerks to Committees,
appropriations for.....192, 193
Cleveland and Pittsburg R. R. Co.,
may build bridge across Cuyahoga River at Cleveland, Ohio..... 362
Cleveland and Toledo R. R. Co.,
may build bridge across Cuyahoga River at Cleveland, Ohio..... 362
Cleveland, Ohio,
hospital buildings at, not to be sold or leased..... 40
Clinton Bridge,
across the Mississippi River declared a lawful structure and a post-route..... 412
rates for transportation of mails, troops, or property of the United States..... 412
regulations as to the draw of the bridge. 412
litigation arising from alleged obstruction to navigation by, where to be tried.... 412
act may be amended, &c..... 412
Clothing,
for destitute Indians and Indian tribes within the southern superintendency. 347
payments in lieu of..... 485
to discharged soldiers for clothing not drawn..... 485
Clothing, Ready-made,
duty on imported..... 561
Clothing, Wool,
under the tariff act, to include what..... 559
Coaches,
tax upon gross receipts from passengers and mails..... 135
Coal Oil
not to be carried on steamers, except, &c. 228
Coasting Trade,
assistant collector at Camden, N. J., may give enrolments and licenses to certain vessels engaged in..... 417
Coasting Vessels,
between ports and places on Lake Michigan, laden with American produce and free goods, may unlade without previous permit..... 394
Coast Survey,
appropriations for the 14, 15, 311, 457
publishing observations made in the. 457
Cobb & Co. J. and O. P.,
claim of J. & O. P. Cobb & Co., for hay to be paid..... 617
Code of Regulations
for the army and militia to be prepared, &c..... 338
Codifying the Customs Laws,
resolution to provide for, continued in full 567
Coffey, James N.,
claims of, against the Osages, to be paid 688, 689
Cohen, Emil,
name of, changed to that of Emil Cornley..... 591
Coinage
of five-cent pieces authorized..... 47
Cole, Daniel,
pension to..... 642
Colgen, Francis,
pension to..... 605
Collection Districts. (*Customs.*)
established, at
Port Huron..... 32
Michigan..... 33
Montana and Idaho..... 33
collectors appointed to each.....32, 33
name of that of Penobscot changed to Castine..... 33
act to change certain in Maryland and Virginia..... 410
four established in North Carolina.. 411
Collection of Revenue from Customs,
appropriation for expenses of..... 354
Collection of Revenue from Sales of Public Lands,
appropriations for expenses of..... 465
Collectors of Customs,
salaries of those in certain districts changed and established..... 308
authorized at Corpus Christi..... 308
pay of, at Apalachicola..... 308
Beaufort..... 308
Brazos de Santiago..... 308
Brunswick..... 308
Cherrystone..... 308
Corpus Christi..... 308
Galveston..... 308
Georgetown..... 308
Pensacola..... 308
Saluria..... 308
Saint Augustine..... 308
Saint Marks..... 308
office of, of the districts of Oxford and Vienna, Maryland, discontinued..... 410
of eastern district of Maryland established..... 410

Collectors of Customs, (continued.)
in the collection districts of North Carolina, residence and salary of..... 411
share of proceeds of fines, penalties, and forfeitures from seizures for breach of customs laws 546, 547
may refuse to deliver imported merchandise in their custody, when notified in writing of lien for freight thereon, until freight is paid or secured..... 547
not to be liable for losses consequent upon refusal to deliver..... 547
Collectors of Internal Revenue,
knowingly receiving public money from, except as authorized by law, to be deemed embezzlement..... 65
duties of, in the collection of tax upon unmanufactured cotton.....98–100
acting as disbursing officers to be allowed certain bills heretofore paid assistant assessors 105
commissions of, in districts whence and to which cotton and distilled spirits are shipped, &c..... 106
moneys paid into treasury on account of sales of stamps to brewers to be included in estimating.....165, 166
accounts of, after June 30, 1864, to be adjusted to fiscal year..... 106
apportionment of commissions in cases of death, removals, &c. 106
no payment to, for salaries, unless commissioner certifies that all reports required of, have been received..... 106
to give notice that taxes are payable and of the time and place of payment..... 106
duties of, in the collection of taxes..106–110
as to distraint and sale of personal property..... 107
as to sales of real estate....108, 109, 110
may buy property offered for sale for payment of taxes, if amount of tax is not bid.....108, 109
may sell such property.....108, 110
to be charged with whole amount of taxes in lists, stamps, moneys collected for, &c..... 110
to be credited with what..... 110
dying, lists, &c. to be delivered to successor..... 110
to collect taxes and prosecute for forfeitures and penalties.....111, 145
suits how and when brought....111, 112, 145
not to be commenced without authority..... 111
United States not subject to costs, &c..... 111
to be repaid amounts of judgments paid by, and damages and costs recovered against them..... 111
judgments for taxes to be paid to..... 111
may seize taxable property held to be sold, &c. in fraud of revenue laws..... 111
raw materials, tools, &c. for manufacture in fraud of the law..... 112
proceedings to enforce forfeiture.... 112
special taxes to be paid to..... 113
to give receipt for special taxes..... 113
receipt to state what..... 113
to approve bond of manufacturers of tobacco, snuff, or cigars..... 123
may require the same to be renewed or changed..... 123
Collectors of Internal Revenue, (continued.)
to give certificate to manufacturer, &c. of tobacco, snuff, or cigars, for what the bond has been given..... 123
may take transportation bonds for transfer of tobacco, &c..... 125
to collect taxes due monthly, &c. for manufactured articles..... 130
in ports where there is more than one, one may be designated to attend to exportation..... 153
may administer and certify certain oaths 153
may or not approve of bonds of distillers or rectifiers..... 154
to give permit in writing to set up stills, boilers, &c..... 154
to make report on building for bonded warehouse for storage of distilled spirits 155
to approve bond of owners of warehouse. 155
to collect pay of inspectors, &c. of spirits.....155, 156
to decide upon necessity of assistant inspector for any distillery..... 156
to designate persons to take temporary charge of distilleries..... 156
may inspect books of owners, &c. of distilleries..... 157
of brewers..... 165
to cause distilled spirits, upon request, to be gauged and proved and casks marked..... 162
to send commissioner copy of return..... 162
to approve bond of brewers..... 164
to keep on hand a supply of stamps for the use of brewers..... 165
may give permit for removal of ale and porter, &c. without stamps affixed.... 167
not to be or become interested in the production of distilled spirits or fermented liquors..... 168
to make statement under oath of amounts of fees received..... 168
duty of, in cases of seizure of goods as subject to forfeiture..... 169
appropriation for salaries, &c. of..... 205
acting as disbursing agents, to disburse what moneys.....326, 327
their bonds to bind as to such moneys... 327
vacancy in office of, how filled 473
and deputy collectors, penalty upon for demanding or accepting any money, &c. for compromising, &c. any charge for violating the law relating to internal taxes..... 483
appropriation for salaries and expenses of..... 445
not entitled to any part of salary unless confirmed by Senate, except, &c. 445
Colleges. See *Agricultural Colleges.*
extension of time under act relating to agricultural..... 208
army officers may be detailed as presidents, &c. of..... 336
Collins, John,
may select lands for services to Chippewas 658
Colonel of Ordnance,
appropriations for, and for office of..199, 200, 449, 450
additional employees in office of.... 449
Colorado,
post-roads established in.....6, 551
appropriations for government in..204, 454
for Indian service in..... 279, 512

Colorado, (continued.)
territory of, to be settled with, for the services of its militia forces..... 371
amount found due to be reported to Congress..... 371
net proceeds of internal revenue of, for three years, to be applied to erection of penitentiaries in..... 377
limit of amount to be expended.... 377
at what places to be erected..... 377
Colored Children,
grant of certain lots of land in Washington, D. C., for the sole use of schools for 343
Colored Persons,
certain, in the District of Columbia, who, before their emancipation, had agreed to be man and wife, and living together as such, to be deemed husband and wife 232
their children legitimate..... 236
children of those who have ceased to cohabit..... 236
Colored Schools in the District of Columbia,
cities of Washington and Georgetown to pay to trustees of, the proportionate part of certain school moneys..... 216
money when to be payable..... 216
an action of debt may be maintained therefor..... 216
Colored Soldiers,
resolution respecting bounties to, and pensions, bounties, and allowances to their heirs.....357, 367, 368
presumption to hold that they were freemen at time of enlistment when nothing to the contrary appears.....357, 358
what to be sufficient proof of marriage of, to secure arrears of pay, pensions, &c., to widows and heirs of..... 358
agent or attorney making claim for bounty to file oath that, &c..... 368
fees of..... 368
sales, &c. of discharges by, for purpose of selling interest in bounty, null and void 368
where payments are made by check, claimant to establish his identity..... 368
Colored Soldiers and Sailors,
pensions, bounty, and back pay of, to go to widows and children upon what proof of marriage..... 58
Colored Troops,
number of regiments of cavalry..... 334
of infantry..... 334
officers of, to be deemed officers of volunteers..... 337
chaplains for, to instruct enlisted men... 337
Colored Volunteers or Drafted Men,
payment of awards to loyal claimants for services of..... 321
claims of loyal persons for services of, as reported by commissioners, not to be paid until report is approved by Congress.....376, 377
Colored Women and Children,
appropriation for association for relief of 317
Columbia Fire Company,
in Washington, D. C., not to be disturbed in the use, &c. of the Columbia Engine-house..... 397
Columbia Hospital for Women and Lying-in Asylum,
act of incorporation of..... 55
officers, objects, and powers of the association..... 55
appropriations for.....316, 465
Columbian Institution for the Deaf and Dumb,
appropriations for the support of, 21, 317, 464
not over ten deaf mutes may be received therein from the States and Territories, and how.....464, 465
additions to buildings..... 465
enlargement of grounds..... 465
increased supply of Potomac water, &c..... 465
Combing Wools,
under the tariff act, to include what..... 559
Commandant of Marine Corps,
rank and pay of the..... 517
Cammandants of Navy-Yards,
pay of clerks to, increased twenty-five per cent..... 345
Commanders, (*Navy.*)
number of grade of, in navy established. 222
increase in grade, how made..... 222
Commanders. See *Rebel States*.
of military districts composed of rebel States..... 428
who to be, and how appointed..... 428
their powers and duties..... 428
Commanding General's Office,
appropriation for expenses of..... 485
Commerce,
treaty to encourage, with Japan..... 655
Commerce and Navigation,
report on, how to be prepared..... 331
Commercial Agents and Agencies,
appropriations for pay and expenses of..413, 414
no pay to any agent who is not a native or naturalized citizen of the United States..... 414
Commercial Agents of the United States,
appropriations for expenses, &c. of..... 225
fees of certain, to be accounted for..... 226
excess of over $2500, above, &c. to be paid, &c..... 226
Commercial Brokers,
definition of, and special tax on..... 117
tax (monthly) on all sales by..... 134
sales made by or through another broker, not to be included..... 135
Commissaries of Subsistence,
number, rank, pay, &c. of..... 334
Commissary-General,
appropriations for, and for the office of.. 199, 449
additional employees in office of.... 449
Commissary-General of Subsistence,
appointment of..... 336
rank, pay, and emoluments of..... 334
assistant commissaries-general of subsistence..... 334
commissaries of subsistence..... 334
Commission. See *Commissioner, Commissioners*.
to select site for a building for a post-office, and to accommodate the courts of the United States in New York City..... 356
report of, to Postmaster-General and the Secretary of the Interior..... 356
to be communicated to Congress, if, &c..... 356
to run the boundary line between the United States and the British possessions, appropriation for the expenses of the..... 415
to purchase a site for a building for the post-office and United States courts in New York City.....563, 564

Commission, (continued.)
to select a site for the post-office and subtreasury in Boston 573
to report to the Postmaster-General and the Secretary of the Treasury..... 573
to settle claims of loyal Choctaws, &c. driven from their homes..... 782
to determine claims of loyal citizens of the United States for damages by the Choctaws, &c.....782, 783
Commissioner,
under reciprocity treaty, appropriation for pay of 19
on claims of Hudson's Bay, &c. Agricultural Company, appropriation for payment of in full..... 226
to examine the claims of the State of Iowa, for moneys paid, &c..... 247
Commissioner of Agriculture,
appropriation for office of the.....201, 451
duty of, in distributing seeds, cuttings, and plants 201, 202, 452
to procure cases for protection of collection of plants, given by Frederick Pech 357
to erect a department of, in reservation, number two 464
plan of, and how constructed..... 464
annual report to Congress..... 452
Commissioner of Bureau of Refugees, &c.,
constituted the custodian of a certain retained bounty fund, and appointed trustee 545
may invest the fund, and for what purposes..... 545
provisos..... 545
Commissioner of Customs,
appropriation for, and for office of.. 195, 196, 445, 446
Commissioner of Education. See *Department of Education*.
appointment, duties, and salary of..... 434
annual report of..... 434
first report to state what..... 434
Commissioner of Freedmen and Refugees,
to appoint agents, clerks, and assistants 175
their salaries..... 175
soldiers to have the preference in appointments..... 175
may seize, hold, use, or sell lands and buildings belonging to the so-called confederate States..... 176
proceeds of sales, &c. how applied.. 176
to co-operate with private benevolent associations in aid of freedmen, &c..... 176
to provide buildings and furnish teachers and protection..... 176
Commissioner of Freedmen's Bureau,
to direct expenditure of temporary relief for the destitute population in the District of Columbia..... 353
Commissioner of General Land Office,
appropriations for the office of the...197, 447
additional clerks and laborers in office of..... 447
part may be used for piece-work.... 447
work to be given only to persons in indigent circumstances, and to soldiers and the widows of soldiers 447
to be done by the employees in person 447
Commissioner of Indian Affairs,
appropriations for, and for the office of 197, 447
pay of eight extra clerks in the office of the..... 462
Commissioner of Indian Affairs, (continued.)
to report to Congress hostilities by Indian tribes 515
tabular statement of separate objects of expenditure..... 515
Commissioner of Internal Revenue,
appropriations for, and for office of the 195, 445, 446
reorganization of office of..... 170
deputies, solicitor..... 170
heads of divisions, clerks, messengers, laborers..... 170
to establish rules for the observance of revenue officers, district attorneys, and marshals, respecting suits under the internal revenue laws..... 472
to have charge of real estate conveyed to the United States under the internal revenue laws..... 472
of all trusts, &c..... 472
may sell real estate at public auction, &c. 472
may reconvey to debtor land taken, upon payment of debt and interest..... 472
may designate any assistant assessor to make assessments upon specified objects of taxation..... 472
further proceedings in this matter.. 472
may pay for the detection, trial, &c. of persons violating internal revenue laws 473
to prescribe form and manner of list or return of income for taxation of the oath taken thereon, and of the notice before the assessment of the penalty 479, 480
may authorize to order and require changes or additions to distilling apparatus, &c..... 481
may authorize specially any officer of internal revenue to seize property subject to seizure..... 482
may prescribe notice for sale of distilled spirits by auctioneer..... 482
may prescribe rules for the destruction of forfeited spirits which cannot be sold for the amount of the tax..... 484
Commissioner of Patents,
illustrations and descriptions of report of, appropriations for..... 464
to be paid out of patent-office fund.. 464
Commissioner of Pensions,
appropriations for, and for the office of.. 197, 198, 447
additional clerks in..... 447, 471
appropriation for..... 471
Commissioner of Public Buildings,
appropriations for office of the.. 197, 198, 447
salary of the, established..... 206
to prosecute for unlawful tapping of government water-pipes..... 251
to employ additional watchmen for the Smithsonian grounds..... 365
to furnish proper offices for the department of education..... 434
office of, abolished..... 466
duties now performed by, to be done by chief engineer of army..... 466
Commissioners,
to determine claim of Missouri for moneys expended..... 38
their authority and duties.....38, 39
upon expenditures of West Virginia in aid of the suppression of the rebellion 68
to revise and consolidate the general statutes of the United States.....74, 75
their appointment, duties, and pay 74, 75

Commissioners, (continued.)
ten professional and scientific, to the Universal Exhibition at Paris, their appointment, pay, &c. 363
who not to be 363
twenty additional authorized 363
upon claims of loyal persons for services of colored volunteers or drafted men to be made to Congress 376, 377
no money to be paid until report is approved by Congress 377
appropriation for salaries of 412, 413
to revise and consolidate the statutes of the United States, appropriations for expenses of the 455, 456
Commissioners of Circuit Courts,
of circuit court for duty under civil rights act 28, 29
may appoint persons to execute warrants 28
warrants to run where 28
fees of, and how paid, &c 29
act to extend the jurisdiction of the 343
may exercise the powers of a justice of the peace 343
jurisdiction of, in regard to discharge of debtors from arrest or imprisonment under process from courts of the United States 543
Commissioners of Quarantine,
certain hulks and vessels of the United States to be placed at the disposal of the 351
Commissioners of the United States,
appropriations for 224
Commissioners to revise Statutes,
appropriations for 315
Commissions,
not to issue to officers until after examination 336
of assessors and collectors in certain districts on certain spirits shipped 473
of assignees in bankruptcy 531
Committee, Joint,
upon the condition of the so-called confederate States of America, appropriation for the expenses of 349
Committee on Printing,
duties of, in reference to procuring paper for the public printing 305, 306
Committee on Retrenchment,
appropriation for expenses of joint 564
Commodores,
number of grade of, in navy established 222
increase in grade, how made 222
Common Carriers,
cars, engines, &c. not to be forfeited for violation of revenue laws unless owners, &c. were privy thereto 179
Commutation,
money paid for, by persons drafted who were not liable to service 417
Commutation Fund,
portions of, appropriated to pay awards to loyal persons for services of colored volunteers, or drafted men 321
loyalty of claimant to be shown 321
no money to be paid until final report of commissioners 321
Commutation of Officers' Subsistence,
provisions as to, to be continued one year 337
officers furnished with quarters not entitled to 337
appropriations for 485
Commutation of Rations,
provisions of law as to, to apply to enlisted men who died as prisoners of war, or after their release 423
to whom to be paid 423
Compensation, Additional. See *Additional Compensation.*
to employees in the civil service of the government at Washington, whose pay does not exceed $3,500 per annum 569
Compound Interest Notes,
act to provide for the payment of 558
temporary loan certificates may be issued to redeem 558
amount outstanding at any time not to exceed $50,000,000 558
rate of interest 558
principal and interest payable in lawful money 558
may be held by national banking associations as part of their reserve. 558
two fifths of reserve to be of lawful money 558
Comptroller of the Currency,
appropriations for, and for office of the 195, 197, 324, 445, 446
Comptrollers of the Treasury,
appropriations for the offices of 194, 196, 444, 446
Computation of Time,
rule for, under the bankruptcy act 540, 541
Comstock Lode, (Nevada.)
construction of a mining, draining, and exploring tunnel to 242, 243
Concert Halls, Proprietors of,
definition of, and special tax on 120
Conditional Contracts. See *Bankruptcy.*
provision as to performance of those of bankrupt, by assignee in bankruptcy 523, 524
Confectioners,
definition of, and special tax on 118
additional special tax on certain 417
Confederated Tribes and Bands of Indians of Middle Oregon. See *Middle Oregons.*
supplemental treaty with, of November 15, 1865 751
Confiscation Laws,
of Cherokee nation repealed, and owners restored to rights 799, 800
provision as to improvements 799, 800
Congress. See *Thanks of Congress.*
gratitude of the nation to the officers, soldiers, and seamen of the United States expressed by 354, 355
act to fix the times for the regular meetings of 378
additional meeting of Congress provided for 378
members of previous Congress to receive no compensation as mileage at this additional session 378
Congressional Globe and Appendix,
appropriations for 191, 192, 193, 441–443
a complete set to be furnished each new senator 192, 411, 412
senators having parts of sets to have sets completed 192, 411, 412
reporting proceedings in, and additional compensation to reporters 191, 192, 193, 411, 413
notice given to terminate the purchase of sets 412, 413
notice to publishers of, to terminate existing agreement with them 471

Congressional Journals and Documents,
appropriation for expenses of packing and distributing....197, 447
Congressional Library. See *Library of Congress.*
appropriation for heating apparatus for.. 456
Congressional Printer,
act providing for the election of..... 398
qualifications and duties of.....398, 399
to be deemed an officer of the Senate, and how designated..... 398
salary of..... 399
office of superintendent of public printing abolished..... 399
Congress, Members of,
compensation and mileage of..... 323
Connell, William T.,
payment to, as a soldier.....645, 646
Conrad, Isaac,
payment to, as a soldier.....645, 646
Conservatory
at the President's mansion, appropriation for.....17, 463
Conspiracy,
to commit any offence against the laws of, or to defraud, the United States, if either party thereto does any overt act to effect the object thereof, how punished..... 484
offence deemed to be committed where, when begun in one judicial district and completed in another..... 484
Constitution of the United States,
proposed amendment to the.....358, 359
Constitutions. See *Rebel States.*
to be formed by people of rebel States.. 429
provisions relating to..... 429
Construction and Repair,
appropriations for bureau of... 200, 201, 450, 451, 491
additional clerks in..... 207
salary of draughtsman in bureau of, established..... 450
Consular and Diplomatic Expenses,
appropriations for the years ending June 30, 1867, and June 30, 1868.....224–226, 412–415
envoys, ministers, and commissioners. 224, 412
secretaries and assistant secretaries of legation.....224, 413
interpreters.....224, 413
contingent expenses.....224, 413
intercourse with Barbary powers....224, 413
consulates in the Turkish dominions, 224, 413
American seamen, relief and protection of 224, 413
rescuing seamen from shipwreck.....224, 413
blank books, stationery, postages, &c..224, 413
office rents of consuls, &c. who cannot trade.....224, 413
consuls-general, consuls, commercial agents, and consular clerks, 224, 225, 413, 414
pay of certain consuls established... 225, 414
no money to be paid to minister resident at Portugal.....225, 413
this provision to continue in force until repealed by Congress..... 413
no money to be paid for the support of an American legation at Rome..... 413
interpreters to consulates and consular courts.....225, 414
bringing home persons charged with crime.....225, 414
marshals in consular courts.....225, 414
Consular and Diplomatic Expenses, (continued.)
rent of prisons for American convicts... 225, 414
commissioners, &c. to Hayti, Liberia, and Dominica.....225, 414
title of hereafter to be minister-resident and consul-general, but no increase of salary..... 226
suppression of slave-trade.....226, 415
immigration.....226, 415
commissioner on claims of Hudson's Bay, &c. Agricultural Company..... 226
neutrality act.....226, 415
boundary line commissions.....226, 415
capitalization of Scheldt dues, second instalment.....226, 415
cemetery fences and sexton's house in Mexico..... 226
appointment, &c., of second assistant secretary of state, and of examiner of claims..... 226
their salaries..... 226
fees collected by consuls or commercial agents or their deputies, to be accounted for to the Secretary of the Treasury 226
excess over $2500 a year above office rent and clerk hire, to be paid to Secretary of Treasury.... 226
salaries of envoys-extraordinary and ministers-plenipotentiary hereafter appointed, when to be only those of ministers resident..... 226
no money appropriated by this act to be applied to the payment of any diplomatic representative, consul, or commercial agent, not a citizen of the United States, native or duly naturalized.... 414
Consular Clerks,
appropriations for pay of..... 413
Consular Courts,
appropriation for certain expenses of 225, 414
Consulates in Turkish Dominions,
appropriations for.....224, 413
Consulates,
established at Mahe, Seychelle Islands, and at San Domingo..... 414
added to schedule B..... 414
Consul at Quebec,
compensation to.....312
compensation of, established..... 414
Consul-general at Alexandria,
certain power given to..... 322
Consuls-general,
appropriations for.....224, 225, 413, 414
Consuls in Egypt,
certain judicial powers given to..... 322
Consuls of the United States,
appropriations for pay and expenses of.. 224, 225, 413, 414
pay of, established at
Barcelona..... 225
Chemnitz..... 414
Hankow..... 225
Lisbon..... 225
Mahe..... 414
Malta..... 225
Munich..... 414
Nantes..... 225
Nice..... 225
Prince Edward Island..... 225
Quebec..... 414
Rome..... 414
Saint Catherines (Brazil)..... 225
Saint John (Canada East)..... 225

Consuls of the United States, (continued.)
pay of, established at
Santa Cruz ... 225
Spezzia ... 414
Tampico ... 225
fees of certain, to be accounted for to Secretary of Treasury ... 226
excess of over $2500 a year above, &c. to be paid to Secretary of Treasury .. 226
no pay to any not a native or naturalized citizen of the United States ... 414
Contempt,
of court in proceedings under bankruptcy act, may be punished by court ... 517
registers in bankruptcy cannot commit for ... 519
Contractors,
definition of, and special tax on ... 121
act for relief of certain, for the construction of vessels of war and steam machinery ... 424
claims of, to be investigated ... 424
report to Congress ... 424
Contracts,
proposals for, by executive departments in Washington, D. C., to be in what newspaper ... 50
for works, or for materials or labor for works, to be separate for each work, and for each class of works ... 73
for building certain lighthouses to be with lowest bidder, with security, after advertisement for proposals ... 425
Contracts for Sale. See *Sales.*
of stocks, coin, bullion, &c. by banks, &c., tax upon ... 134
Conveyancers,
definition of, and special tax on ... 118
Conviction, &c.,
of counterfeits of United States securities and coin, appropriations for ... 455
Convicts,
support and maintenance of certain 19
confined in prison under any law of the United States, conducting themselves well, to have deductions made from the term of their sentence ... 424
rate of deductions ... 424
to be made upon certificate, &c. 424
Convicts, Foreign,
protest against pardons of, by foreign governments on condition of emigration to the United States ... 353
such acts not to be repeated ... 353
Cook, Amarilla,
pension to ... 592
Cook, James C.,
may apply for extension of letters patent for improvement in machines for forming button-backs, &c. ... 622
commissioner to act thereon, as if, &c. ... 622
Cook, William,
payment to ... 600
Copperplate Printing,
books and maps for State Department .. 194
appropriations for ... 444
Copyrights,
certain, may be purchased by Secretary of Navy ... 67
act amending acts relating to 395
proprietors of articles copyrighted, failing to deliver copy within a month after publication, subject to a penalty of $25 395
Copyrights, (continued.)
penalty, how collected ... 395
copyrighted articles may be sent through the mails free of postage, if marked, &c. ... 395
duty of postmasters in their regard .. 395
appropriations for expenses of ... 464
to be paid out of patent-office fund. 464
Cornish, Nathan,
demand of, to be audited and settled 609
Cornley, Emil,
name of, changed from Emil Cohen 591
Corporations,
in all grants to, where the United States reserves the right to appoint directors, engineers, commissioners, &c. to examine roads, and act with the officers of the company, all expenses and pay of such persons are to be borne by corporations ... 299
rate of pay to such persons ... 299
if company neglects to pay, no more patents for lands, &c. to issue ... 299
provisions concerning the bankruptcy of ... 534, 535
to what does the bankruptcy act apply .. 535
fraudulent conveyances and preferences by, void ... 535
no allowance to be made, or discharge granted to ... 535
property to be distributed among creditors 535
claims of, against bankrupts, how may be verified ... 527
See *Bankruptcy.*
Corps of Engineers,
in the army to consist of, &c ... 335
Corpus Christi,
customs district of, in Texas, established 308
includes what ... 308
port of entry, Corpus Christi ... 308
collector to reside there ... 308
port of delivery, Aransas ... 308
salary of collector at, established ... 308
Costs,
bill of, in suits before justices of the peace in the District of Columbia ... 402
plaintiff not to recover in certain suits in the District of Columbia, when, &c. .. 406
in bankruptcy, provision concerning 540
See *Bankruptcy.*
Cotton, Unmanufactured,
to pay an internal revenue tax of three cents a pound ... 98
by whom to be paid ... 98
weight, how ascertained ... 98
tax to be a lien until paid ... 98
no drawback on when exported raw 98
no tax upon imported ... 98
tax, how to be levied and paid ... 98
collector to mark bales on which tax is paid, and give permit for removal 98
to keep records of inspections and permits, and make returns monthly .. 98
permit to state what ... 98
place to be designated where cotton may be brought to be weighed and marked 98
revenue officers may go and mark, if their expenses are paid ... 98
when weighed and marked, &c. may be removed to another district upon execution of transportation bonds, &c. ... 98
to be delivered to collector on arrival, and kept until tax is paid ... 99
tax to be paid in ninety days ... 99

Cotton, Unmanufactured, (continued.)
collector to be notified of permits granted and amount of taxes due, and of bonds, &c. 99
transportation of cotton from place of production unless marked, forbidden.. 99
or from any State in which cotton is produced to any other place without certificate, &c. 99
penalty for so doing, fine, imprisonment, and vessels, vehicles, and cotton forfeited 99
drawback upon manufactures exclusively of 99
amount, and how ascertained 99
manufacturers of cotton in districts of production to make monthly statement to assessor under oath 100
first statement, when to be made 100
subsequent statements 100
books to be kept, and entries thereon 100
to be open to inspection of revenue officers 100
tax to be paid monthly 100
on manufactured goods not affected 100
penalty for neglecting to make returns, or keep books, or making false returns 100
fine, imprisonment, and forfeiture of cotton, &c. 100
false oath in these matters to be perjury 100
general provisions as to collection, &c. of taxes, &c. applicable to tax on cotton 100
rules and regulations concerning 101
appointment of inspectors, weighers, and markers of 101
Cotton,
not to be carried on deck or guards of passenger steamers, except, &c. 227
import duty on 328
tax of two and a half cents per pound, after September 1, 1867, on that produced in the United States 471
Counterfeit Bonds, Notes, &c. See *Penalty.*
penalty for buying, receiving, &c. with intent, &c. 383
Counterfeiting. See *Penalty.*
any bond, bid, record, &c. to defraud the United States 12
of coins, treasury notes, bond, &c. appropriation for detection and punishment of 22, 310
of United States securities and coin, appropriation for detection and conviction of persons engaged in 455
" County,"
the word, in internal revenue act, may mean "parish," or any other subdivision of a State or Territory 110
Court-House,
for the United States courts in New York City, commission to select site for 356
Court-Houses,
appropriations for, at Baltimore 19, 26
Boston 22
Charleston 470
Des Moines 319, 461
Indianapolis 22
New York 563, 564
Portland 26, 319
Providence 22
Springfield, Ill. 310
Court of Claims,
appeals allowed from judgments of, to the Supreme Court of the United States 9
regular session of, when to commence 9
clerk of, at end of every term to send copy of its decisions to heads of departments and to all officers charged with adjusting claims against the United States 9
act to extend jurisdiction of 44
claims of disbursing officers for relief on account of losses by capture, &c. to be heard 44
appeal to the Supreme Court 44
decree and its effect 44
jurisdiction of, for certain matters, not to extend to the counties of Berkeley and Jefferson, West Virginia 360
nor to Tennessee 370
appropriations for 194
judgments of, in favor of claimants 194
pay of deputy solicitor of established 325
additional pay to messenger of 325
not to entertain claims for supplies or stores taken or used by the Union troops, or for injuries caused by them in any State, &c. declared in insurrection, or, &c. 397, 398
Tennessee and West Virginia not affected hereby 398
appropriations for the expenses of the 444
for attorneys to take testimony 444
for witnesses and commissioners 444
for payments of judgments in favor of claimants 444
witnesses in any case in the, not to be excluded on account of color 457
jurisdiction of, extended to claims for quartermaster's stores furnished to forces under the command of Major-General Lewis Wallace, and duly receipted for 572
Court of Inquiry,
proceedings of to be revised, &c. by judge-advocate-general 334
Courts,
none to have or take jurisdiction of acts done or omitted to be done in pursuance or in aid of any proclamations or orders of the President 433
may be established among the Choctaws and Chickasaws 773
the Seminoles 759
the Creeks 789
provisions for, in the Cherokee country 800, 803
Courts Martial,
proceedings of, to be revised, &c. by judge-advocate-general 334
regulations on the government of, to be prepared, &c. 338
provision as to summary, in the navy 516
See *Summary Courts Martial.*
Courts in the District of Columbia,
having criminal jurisdiction to give, act relating to the elective franchise in special charge to the grand jury at, &c. 375
appropriations for the salaries of the judges in 455
Courts of the United States,
jurisdiction and duties of, under the civil rights bill 27
how enforced 27
removal to, of suits commenced in State courts 27

Courts of the United States, (continued.)
appropriation for expenses of.....198, 448
safe-keeping of prisoners and prosecution of crime.....448, 449
Courts of the United States in New York City,
commission to purchase site for building for, and for post-office.....563, 564
lower part of City Hall Park may be purchased..... 564
title and condition..... 564
Secretary of Treasury authorized to pay therefor..... 564
Creek Orphan Fund,
bonds held in trust for, to be sold, and proceeds how applied..... 788
Creeks,
appropriations for the 259, 272, 320, 498, 499
treaty with, of June 14, 1866..... 785
peace and friendship with the United States, and with other tribes..... 786
military protection and occupation by the United States..... 786
amnesty for offences against the United States and against their government.. 786
slavery, &c. not to exist among the..... 786
rights of those of African descent..... 786
cession of lands to the United States, as homes for civilized Indians..... 786
payments therefor, and mode of payment.....776, 787, 791
losses of loyal refugee Indians and freedmen, soldiers enlisted in the Federal army..... 787
how to be ascertained and paid..... 787
census to be taken, &c..... 787
right of way granted for railroad..... 787
conditions of grant of right of way..... 787
will sell lands contiguous to the road, to the United States or the railroad company..... 787
such lands not to be sold, &c....787, 788
orphan fund and manual-labor school for orphan children.....788, 791
Seminoles may convey lands to the United States..... 788
line dividing Creek country to be surveyed..... 788
agency buildings and land therefor..... 788
legislation by Congress for rights of persons and property..... 788
general council may be convened annually.....788, 789
of whom to be composed..... 789
time and place of meetings..... 789
length of sessions and special sessions..... 789
powers of..... 789
president and secretary of..... 789
pay of secretary and of members... 789
census to be taken.....788, 789
courts may be established..... 789
this treaty to be a full settlement of all claims..... 789, 790
diversions of annuities confirmed..... 790
annuities not hereafter to be diverted.... 790
treaty obligations reaffirmed..... 790
lands granted for missionary or educational purposes..... 790
not to be sold, except, &c..... 790
when sold, proceeds to be how applied..... 790
if abandoned for one year, to revert to Creek nation..... 790
Creeks, (continued.)
inconsistent treaty provisions annulled.. 790
ratification with amendments..... 791
amendments assented to.....791, 792
Creighton, Captain,
master of the ship Three Bells, gold medal and reward to..... 365
Criers of Courts,
in the District of Columbia, pay of..... 408
Crime,
appropriation for expenses of prosecution of.....448, 449
expenses of bringing from foreign countries persons charged with..... 414
for detection and punishment of counterfeiters of United States securities and coin..... 455
of violation of the internal revenue laws..... 473
Crimes. See *Penalties, Jurisdiction*.
act to punish certain, in relation to the public securities and currency..... 383
begun in one judicial district and completed in another, to be deemed to be committed in either, and may be tried in either..... 484
act for punishment of certain, in the District of Columbia..... 406
Crisfield,
made port of entry for Eastern District of Maryland..... 410
Crocker, Harriet B.,
pension to..... 592
Cross, Mary A.,
pension to..... 631
Crossledge Shoal,
lighthouse board to make survey of, &c.. 425
to report with estimates to next Congress as to erecting lighthouse thereon..... 425
Croswell, William,
pension to..... 605
Crowell, John H.,
credit to be allowed to, in settlement of accounts..... 580
Crowley, Cornelius,
pension to..... 593
Crude Oil,
exempt from internal duty..... 355
Crude Petroleum,
not to be carried on steamers, except, &c..... 228
exempt from internal duty..... 355
Cuba,
act to encourage telegraphic communication with..... 44
Curley, E. J.,
payment to, for corn purchased by an assistant quartermaster for the government..... 618
Currency. See *National Currency, Penalty*.
act to punish certain crimes in relation to the.....383, 384
Curtis, Ira B.,
pension to..... 592
Custody,
money received by collectors for, to be accounted for as storage..... 188
Custom-House Brokers,
definition of, and special tax on..... 117
Custom-Houses,
appropriation for rebuilding, refitting, repairing, and furnishing.....310, 460, 462
at Astoria..... 461
Bangor..... 311

Custom-Houses, (continued.)
at Charleston 310, 470
Cincinnati 17
Des Moines 319
Dubuque 17
Island Pond 23
Machias 461
Middletown, Ct. 311, 461
New Orleans 460
Newport 461
New York 461
Philadelphia 17, 25
Portland 22, 26, 319
Providence 22
St. Albans 22
St. Paul 316
Toledo 310
Wiscasset 460
Secretary of Treasury may sell at auction the buildings and grounds known as
Alexandria 467
New Haven 467
Norfolk 467
Perth Amboy 467
Portsmouth 467
Sackett's Harbor 467
Wiscasset 460
may execute the needful conveyances therefor 467
Customs,
appropriation for expenses of collection of revenue from 354
Custom Officers, &c.,
salaries of certain, changed and established 308
blank books, stationery, &c. to be furnished to, on requisition 308
expenses of, how charged 308
Cuyahoga River,
at Cleveland, Ohio, swing bridge may be erected over and upon government piers 362
plan, &c. of, how to be determined .. 362

D.

Dakotas,
appropriations for the 273, 274, 508, 509
Dakota Territory,
appropriations for Indian service in .. 280, 512
for government in 204, 454
post-roads established in 6, 287, 288
arms and ammunition for defence of inhabitants of, against hostile Indians .. 26
net proceeds of internal revenue of, for three years to be applied to erection of penitentiaries in 377
limit of amount to be expended 377
at what places to be erected 377
Damaged Merchandise,
assistant appraiser to examine 303
Damages,
to be paid to four treaty powers by Japan, for hostile acts of Prince Nagato, &c .. 665
the opening of a port in the Inland Sea may be accepted in lieu thereof 665, 666
to loyal Seminoles driven from their homes 757
to loyal Choctaws, &c. driven from their homes 780
to loyal citizens for damages by Choctaws, &c. 780
to loyal Creeks, enlisted soldiers 787
Daniel, Levisa,
pension to 629
Darien, Isthmus of,
survey for ship canal 311
David's Island,
in Long Island Sound, to be purchased .. 566
Davis, Henry S.,
payment to, for work done on patent-office building 625
Dead Letters,
to be restored to writers free of postage .. 60
Deaf and Dumb. See *Columbian Institution, &c.*
appropriations for the 21, 317, 464, 465
Deaf and Dumb, Institutions for the,
certain articles manufactured in, not exempt from tax 475
Deaf Mutes,
not over ten in number may be received into the Columbian Institution, and how 464
De Ahna, Col. Henry Charles,
payment to, for military services 612
Deal's Island,
office of deputy collector at, discontinued 411
Debt. See *Imprisonment for Debt*.
provision as to discharge from imprisonment for 543
Debts. See *Bankruptcy*.
provable against bankrupt's estate 525
proof of, by resident and non-resident creditors 527
evidences of, left in court, how and to whom may be delivered 528
Deceased Soldiers and Sailors,
national cemeteries for the burial of, established 399
Decrees in Equity,
effect of sales under, in the District of Columbia, upon rights of former owner 406
court may order particular forms of conveyance 406
Declaration of Rights,
of Maryland, the 34th section of, prohibiting certain sales, gifts, and devises, annulled 232
such gifts, &c. when to be made 232
Deed,
of real estate sold for taxes 109
to be given upon surrender of certificate of purchase 109
to be prima facie evidence of recitals therein 109
to convey what 109
Defendants
in criminal cases in the District of Columbia may have witnesses for them summoned and paid for by the government 407, 408
Deficiency Appropriations,
for the years ending June 30, 1866 and 1867 .. 14–26, 324–327, 373, 393, 468–471
coast survey 14, 15
lighthouse establishment 15, 16, 324
coasts of California, Oregon, and Washington 16, 17
repairs, &c. of public buildings .. 17, 325, 373, 469
Treasury extension 17
court-houses at
Baltimore 17, 26
Boston 22
Indianapolis 22
Portland 26

Deficiency Appropriations, (continued.)
custom-houses at
Charleston ... 470
Cincinnati ... 17
Dubuque ... 17
Island Pond ... 23
Philadelphia ... 17, 25
Providence ... 22
Portland ... 22, 76
St. Albans ... 22
post-offices at
Indianapolis ... 22
Portland ... 26
Providence ... 22
government warehouses and wharves at Staten Island ... 17, 26
certain payments not to be made until, &c ... 26
burglar-proof safes or vaults ... 17
office furniture and repairs ... 17, 373
public buildings and grounds ... 17, 18, 325, 373, 469
bridges and streets ... 17, 18, 469
President's house and conservatory ... 17, 325, 469
library of Congress ... 18, 21, 23, 469–470
two additional assistants and temporary help ... 469
iron stairways, sky-light, &c ... 469
transient paupers in Washington ... 18
repairs of Capitol ... 18
room for Supreme Court ... 18
sewers and paving ... 18, 469
fuel, lighting Capitol, &c ... 18, 19, 469
reservations ... 19
water-pipes, sewers, &c ... 19
paving, &c ... 19
dome of Capitol ... 19
Capitol extension ... 19, 468
burial of Abraham Lincoln ... 19
jail in District of Columbia ... 19
support and transportation of convicts ... 19
preservation of collections of exploring and surveying expeditions ... 19
office of Secretary of State ... 19, 326
laws, clerk hire ... 19
commission under reciprocity treaty ... 19
office of Attorney-General ... 20
Department of the Interior, books and maps for library ... 20
office of engineer ... 21, 374, 468
account of engineer in charge of Union Pacific Railroad and branches, land grant to railroads and wagon roads 20, 468
Assistant Secretary ... 324
pension Bureau ... 20, 468
government hospital for the insane ... 20
patent office and building ... 20
carpets for any public building to be of domestic manufacture ... 20
census office ... 20, 468
amount due certain marshals and assistants for taking the eighth census in California ... 468
Kansas ... 468
Kentucky ... 468
Maine ... 468
Maryland ... 468
Missouri ... 468
New Mexico ... 468
Ohio ... 468
Oregon ... 468
Tennessee ... 468
Washington ... 468

Deficiency Appropriations, (continued.)
no part to be paid to any one participating in the rebellion ... 468
D. S. Payne for census of Idaho ... 22
census of Arizona ... 22
mileage of government engineer examining route of Union Pacific Railroad ... 20
bridge over Big Sioux river and Oregon road from Sioux city ... 21
William H. Powell for naval picture ... 21
botanic garden ... 21
Columbian Institution for the Deaf and Dumb ... 21
surveying public lands ... 21, 22
sick and disabled seamen ... 21
marine hospital in Cleveland ... 22
Atlantic and Pacific telegraph ... 22
detection of counterfeiting treasury notes and coins ... 22
Arizona Territory ... 24
revenue agent at New York ... 22
compilation of laws relating to revenue ... 22
William Handy and John Hopley ... 22
additional compensation for statutes at large ... 23, 326
old treasury building ... 23
purchase of Ford's Theatre ... 23
indemnity to Butler and Carpenter ... 23, 470
claim of Butler and Carpenter for engraving special dies for revenue stamps to be paid ... 470
district attorneys and marshals for suppression of slave-trade ... 23
judges, arbitrators, and mixed courts ... 23
Pennsylvania bank building may be sold 23
additional clerks for assistant treasurer at Philadelphia ... 24
branch mint at California ... 24
deficiency appropriations for House of Representatives ... 24, 393
Capitol police ... 25
stenographer ... 25
certain employés of deputy provost-marshal of the District of Columbia for special service ... 25
quartermaster-general's office ... 25
Indian service in Utah ... 25
plates, &c, for national currency notes ... 25
no portrait of living person to be engraved thereon ... 25
fuel for President's house and Capitol ... 25
naval academy ... 26
H. A. Klopfer ... 26
bath-room of House of Representatives ... 325
additional pay of female clerks ... 26
salaries of officers of the mint and of assistant treasurers ... 26
contingencies of executive office ... 324
biennial register ... 324
Post-Office Department ... 324
pay of female folders in dead-letter office ... 224
district attorney and marshal eastern district of New York ... 324, 325
mail steamship service with Brazil ... 324
watchman for dome of Capitol ... 324, 325
navy hospital at Washington ... 325
pay of deputy solicitor of court of claims established ... 325
general land office ... 325
sewer through botanic garden ... 325
provisions for construction of ... 325

Deficiency Appropriations, (continued.)
lower water-closets of Supreme Court room.... 325
repairs to Long Bridge.... 325
twenty per cent additional to messenger of court of claims.... 325
Indian service in Nevada.... 326
payment to James W. Nye.... 326
payment to Edward Jarvis for digesting facts as to mortality, &c. by census of 1860.... 326
expenses of delegation of southern Cherokees.... 326
sum to be refunded from, &c.... 326
increased pay of judges of Supreme Court of District of Columbia.... 326
quieting title to occupants of certain lands conveyed by the United States.... 326
collectors of internal revenue acting as disbursing agents to disburse what moneys....326, 327
increase of pay to Capitol police.... 327
depository at Sante Fe.... 327
additional clerks, &c.... 327
life-saving stations.... 327
quartermaster-general's office.... 327
contingent expenses of Senate...24, 327, 469
index to Senate list of private claims.... 327
estimates for fire-proof buildings for war department.... 327
amendment of act 1849, ch. 129, § 4.... 327
public printing....41, 373
paper for public printing.... 373
bureau of statistics.... 373
southeast executive building and extension.... 373
office of sixth auditor.... 373
heating apparatus.... 373
supervising and local steamboat inspectors.... 373
furnace-room and stable at executive mansion.... 373
metropolitan police.... 374
compensation of, increased, and how to be borne.... 374
Washington aqueduct.... 374
watchmen in Smithsonian grounds and in public buildings.... 374
contingent expenses of foreign intercourse.... 374
Indian bureau, service in Oregon and Washington in 1861–62.... 468
payments to be made only to original owner of claim and upon satisfactory proof.... 468
Isaac Strohm as a clerk.... 469
repairs and furnishing executive mansion 469
no further payments on account of, until accounts are approved by joint committee of Congress.... 469
miscellaneous.... 469
Westport harbor, Conn.... 469
Thames river.... 469
F. M. Rotch, for original article on cattle for agricultural report.... 469
Treasury Department.... 324
temporary clerks in.... 496
may be classified.... 469
purchase for the mint of publications relating to metals and the manipulations thereof.... 469
despatches of the Department of State by the Atlantic Cable....469, 470
permanent beacons in New York bay.... 470

Deficiency Appropriations, (continued.)
purchase of stereotype plates and copyright of American Coast Pilot.... 470
pay, &c. of registers and receivers in certain additional land offices.... 470
geological survey of Nebraska.... 470
how to be prosecuted.... 470
ten cents a cask to be collected on gaugable goods exported, upon which drawback is allowed, and upon such goods withdrawn from bonded warehouse for export.... 470
salary of gaugers at New York.... 470
not to exceed in any year the amount of fees earned by them.... 470
a certain surplus to be transferred for the purchase of books for the library of Congress.... 470
pay of deputy surveyor at San Francisco 470
temporary clerks in quartermaster-general's office.... 326
pay of, established.... 470
appropriation therefor.... 470
salaries of district judges in the United States courts established....470, 471
to be in full for all official services.. 471
appropriation for increased amount.. 471
additional compensation to reporter of decisions of Supreme Court, if second volume is published in any year.... 471
certain copies to be delivered for distribution.... 471
appropriation.... 471
notice to publishers of Congressional Globe and Appendix to terminate agreement.... 471
additional clerks authorized in the office of the commissioner of pensions.... 471
clerkships to expire at the end of two years.... 471
appropriation therefor.... 471
Deitrich, Lewis W.
pension to.... 583
Delaware,
post-roads established in.... 282
Delawares,
appropriations for the....260, 499, 500
treaty with, of July 4, 1866.... 793
value of reservation of, heretofore sold to a railroad company to be paid to.... 793
remainder of reservation may be sold and at what price.... 794
adults to have privileges to elect to become citizens.... 794
those electing to become citizens to have their lands reserved from sale.... 794
improvements to be appraised.... 794
value thereof paid to each Indian... 794
lands to be set apart for children born since allotment.... 794
improvements thereon, how to be paid for.... 794
the United States to sell certain, to the Delawares.... 794
price of land, boundary and surveys.... 794
peaceable possession of new home guaranteed....794, 795
proceeds of sales of lands of, to be paid to, and how.... 795
Missouri River Railroad Company to be notified that these lands are for sale... 795
may within twenty days elect to purchase.... 795
mode of making election.... 795

Delawares, (continued.)
if company does not within the time elect to purchase, lands may be sold to others ... 795
no offer to be received from others unless, &c. ... 795
payment, when to be made ... 795, 796
registry to be made of Delawares desiring to become citizens ... 796
mode of procedure to become citizens ... 796
patents of lands before allotted ... 796
proportion of proceeds of sales ... 796
minor children ... 796
grant of land to those Delawares that have become citizens ... 796
funds of the tribe not to be used to pay debts of individual members ... 796
licenses to trade ... 796
salaries to chiefs ... 796
dependence on, and protection of, the United States ... 797
if lands are not sold in a body they may be appraised in tracts and sold ... 797
right of way, &c. for railroads ... 797
settlement of all claims of the Delawares for depredations ... 797
not to move until new homes are provided ... 797
ratification ... 798
Delegate
from Indian Territory ... 773
Delegates in Congress,
pay and mileage of, established ... 323
appropriations for compensation and mileage of ... 192, 441, 442
Dentists,
definition of, and special tax on ... 121
Department of Agriculture,
appropriations for expenses of ... 201, 451
for erection of, on reservation number two ... 464
Department of Education,
established at the city of Washington ... 434
purpose thereof ... 434
commissioner of education to be appointed ... 434
to have the management of the department ... 434
his salary ... 434
may appoint a chief clerk and two other clerks ... 434
may remove such clerks ... 434
their salaries ... 434
annual report of, to Congress ... 434
first report to present a statement of the land grants by Congress to promote education, their management, the amount of funds arising therefrom, &c. ... 434
proper offices to be furnished to ... 434
Department of State. See *State Department*.
appropriations for the ... 19, 194, 326, 444
Department of the Interior,
books and maps for library ... 20
office of engineer ... 20, 21, 374, 468
account of engineer having charge of the Union Pacific Railroad and branches, land-grant railroads, and wagon roads ... 468
assistant secretary ... 324
pension bureau ... 20, 468
appropriations for the ... 197, 447, 448
See *Interior Department, Secretary of the Interior*.

Depositaries, United States,
to report annually to Secretary of Treasury the condition of the accounts of disbursing officers that have remained uncharged for three years ... 42
appropriations for offices of, at
Baltimore ... 320, 453
Chicago ... 320, 453
Cincinnati ... 321, 453
Louisville ... 320, 453
Pittsburg ... 320, 453
San Francisco ... 320, 453
Santa Fe ... 327
Depositories,
burglar and fire-proof vaults and safes for, appropriations for ... 461
Deposits,
tax on average amount of, subject to draft 136
in savings banks, of less than $500 standing in any one name exempt ... 137
Deputy Appraiser
of imported merchandise at the port of New York, when and how authorized to act ... 302
Deputy Collector, Customs,
at Calais, Maine, may enter and clear vessels ... 251
office of, at Annamasset and Deal's Island discontinued ... 411
certain, may be clothed with powers of principals ... 185
pay of, at Baltimore, Boston, New Orleans, New York, Philadelphia, Portland, and San Francisco established ... 308
Deputy Collectors of Internal Revenue. See *Collectors of Internal Revenue*.
Deputy Commissioners of Internal Revenue,
number of, authorized ... 170
two additional ... 170
Deputy Naval Officers,
pay of, established at Baltimore, Boston, New Orleans, New York, Philadelphia, Portland, and San Francisco ... 308
Deputy Paymasters-General,
number, rank, pay, &c. of ... 335
Deputy Provost-Marshal of the District of Columbia,
payment to employés of, for special service in the enrolling office of the ... 25
Deputy Quartermasters-General,
number, rank, pay, &c. of ... 334
Deputy Solicitor Court of Claims,
pay of, established ... 325
Deputy Surveyor at San Francisco,
to have same pay as deputy collector ... 470
Deputy Surveyors,
pay of, established at Baltimore, Boston, New Orleans, New York, Philadelphia, Portland, and San Francisco ... 308
Designated Depositaries,
appropriations for payment to ... 203, 453
Des Moines,
or Lower rapids of the Mississippi river, appropriation for improving navigation at ... 420
any canal constructed around, to be free of toll ... 420
site for building for federal offices at ... 319
Destitute Indians and Indian Tribes,
within the southern superintendency, certain funds to be applied to the subsistence and clothing of ... 347
articles to be delivered before July 1, 1866 ... 347

Destitute Indians of Southern Superintendency,
appropriations for relief of..... 280
full examination to be made before payment..... 280
Destitute Population,
in the District of Columbia, provision for the temporary relief of the..... 353
how to be expended..... 353
Detection, Trial, and Conviction,
of persons violating internal revenue laws, money may be paid for..... 473
of counterfeiters of United States securities and coin, appropriations for..... 455
Detective Officers,
no one to assume or practice the occupation of, in the District of Columbia without specific appointment, unless, &c... 214
arresting persons for crime, to do what.. 214
felonies not to be compounded..... 214
guilty persons not to be aided to escape 214
money not to be received from those charged with crime..... 214
Dexter, Mary J.,
pension to..... 736
Diplomatic Correspondence,
additional copies of Appendix to, for 1865 to be printed..... 570
how to be bound and distributed.... 570
Diplomatic Representatives,
of any grade, no salary, &c. to be paid to any who is not a native or a naturalized citizen of the United States..... 414
Director of the Bureau of Statistics,
appointment, duties, salary, &c. of..... 331
Director of the Mint,
appropriations for the salary, &c. of the.....202, 452
Directors of the General Hospital of the District of Columbia,
act of incorporation of the.....299, 300
powers and officers, &c. of the...299, 300
Direct Tax,
amount due by Missouri to the United States to be deducted from her claim.. 39
collection of the, in any State declared in insurrection, suspended until January 1, 1868..... 331
due from West Virginia, to be deducted from claim for expenditures in aiding to suppress the rebellion..... 68
of August 5, 1861, quota of, for West Virginia, how to be ascertained and apportioned 568
collection of, to be suspended until, &c... 568
provisos as to tax in Berkeley and Jefferson counties..... 568
See *West Virginia.*
Direct Tax Commissioners,
for South Carolina to survey certain lands into lots of twenty acres each..... 176
Direct Taxes,
money wrongfully collected for, may be refunded upon presentation of satisfactory evidence of the illegal collection.. 568
Disabled Persons,
who have served as enlisted men in the navy or marine corps for twenty years, to receive from naval pension fund half the pay of their ratings when discharged 516
those who have so served for ten years may apply for aid from surplus income of naval pension fund 516
proceedings upon such application..... 517
Disbursing Agent,
may be appointed where there is no collector at place of location of any public work..... 341
Disbursing Agents,
collectors of internal revenue, acting as, to disburse what moneys, &c..... 327
Disbursing Officers,
drafts, checks, &c. standing to credit of, for three years, to be deposited by the Treasury, and carried to an "outstanding liabilities" account.....41, 42
accounts of, remaining unchanged for three years, to be covered into the Treasury and credited..... 42
to report annually all checks issued and outstanding for three years..... 42
may apply to court of claims for relief from losses by capture, &c..... 44
where to deposit and how to draw public money intrusted to them..... 64
transfers of money to, from Treasury, to be by draft or warrant..... 64
depositing, or drawing, &c. public money except as authorized, to be embezzlement 65
provision where there is no treasurer, &c.....
of funds for public works, except army officers, to give bond..... 74
army officers acting as, to have no commissions 74
of the navy and marine corps to be allowed credits for such losses of property as shall occur from circumstances beyond their control..... 345
in the navy, transfer of appropriations to settle accounts of..... 38
except army officers, of funds appropriated for public works to give bonds... 422
army officers disbursing such funds, not to receive commissions..... 422
accounts and vouchers of, to be sent directly to the proper bureau.....571, 572
Disbursement
of public revenue, expenses of..... 203
Discharge, (Soldiers,)
sale of, by colored soldiers, &c. for purpose of selling interest in bounty, null and void..... 368
secondary proof of issue of, admitted in applications for bounty 423
Discharge. See *Bankruptcy.*
of bankrupt, in proceedings in bankruptcy and its effect.....531–533
bankrupt may apply to court for, and within what time..... 531
notice to creditors by mail and publication in newspapers..... 531
what acts of bankrupt will prevent or avoid discharge.....532, 533
persons once discharged, not to be again discharged, unless, &c..... 532
creditors opposing, to file specifications in writing..... 532
questions of fact thereunder to be tried when..... 532
certificate of, when to be granted and form of.....532, 533
certain debts not discharged..... 533
not to be granted to debtor, unless, &c. in proceedings commenced after one year, &c..... 533
validity of, may be contested..... 533

Discharge, (continued.)
within what time may be contested..... 533
proceedings in such case.....533, 534
how may be procured..... 533
not to be granted to corporations or joint stock companies..... 535
Dismal Swamp Canal Company,
stock of the United States in, to be sold and how..... 365
Disorderly Conduct,
in the District of Columbia, persons not to be fined or imprisoned for, unless, &c. 402
Dispute. See *Bankruptcy.*
property in, proceedings in regard to, under the bankruptcy act..... 529
Distilled Spirits,
compounds and preparations of, import duty on..... 328
provisions as to importation of brandy and other spirituous liquors and wines..... 328
general provisions of the internal revenue law concerning the manufacture and taxation of.....153–163, 480
See *Internal Revenue, pp.* 893, 894.
tax upon certain, and by whom to be paid 157
when law relating to, takes effect..... 168
tax upon, and by whom to be paid..... 480
to be a lien, and on what, and for how long.....480, 481
if removed from place of distillation and not deposited in bonded warehouse, tax where to be assessed and how collected..... 481
to be collected at no lower rate than basis of first proof..... 481
proof spirit to be what..... 481
Secretary of Treasury may adopt meters, &c..... 481
may make regulations to insure a uniform and correct system of inspection, weighing, and gauging of spirits subject to tax..... 481
owners of distilleries to use meters..... 481
changes of or additions to distilling apparatus to be made..... 481
fastenings, locks, or seals, may be put on stills, tubs, pipes, &c..... 481
"gallon" to be gallon of first proof..... 481
before being removed from distillery, to be gauged and inspected..... 481
barrels or packages to be marked... 481
stored in a bonded warehouse attached to a distillery, to be removed to general bonded warehouse, conveniently located 482
not to be removed from place of manufacture in casks, or packages containing over ten gallons..... 482
nor from place of storage, between sunset and sunrise..... 482
penalty therefor..... 482
barrels, casks, and packages, containing or supposed to contain distilled spirits, may be seized by, &c. when, &c. and detained..... 482
when drawn from barrels, &c. marks thereon to be effaced..... 482
penalty for not so doing..... 482
if not barrels, &c. to be destroyed... 482
if found elsewhere than in a bonded warehouse and sold, &c. for less than the tax, such selling, &c. to be prima facie evidence that they are liable to forfeiture..... 482
Distilled Spirits, (continued.)
this not to apply to sales by auctioneers who have paid special tax, and upon public notice..... 482
nor by judicial or executive officers, under a decree of court. 482
when bond for removal of, from bonded warehouse, is forfeited, obligors to pay what..... 483
duties and fifty per cent upon that amount..... 483
property of obligors may be distrained forthwith..... 483
if no property is found, bond to be put in suit..... 483
those forfeited, not to be sold for less price than the tax thereon at the time of sale..... 484
to be destroyed, if, within ninety days, they cannot be sold for a price equal to the tax..... 484
Distilleries,
law requiring inspector for each, repealed 481
duty of inspection to be performed by whom.....481, 482
Distillers,
definition of, and special tax on..... 117
who to be deemed, and what presumptive evidence thereof..... 481
of burning-fluid and camphene not to pay special tax of $50..... 565
Distillers and Rectifiers,
who to be deemed, and what presumptive evidence of..... 153
penalty for doing business as, without having paid the special tax..... 153
general provisions of internal revenue law concerning.....153–163
See *Internal Revenue, pp.* 893, 894.
Distillers of Apples, Grapes, or Peaches,
definition of, and special tax on..... 117
Distillers of Coal-Oil, Burning-Fluid, and Camphene,
definition of, and special tax on..... 117
Distraint,
and sale of property for taxes, provisions concerning.....107, 108
when goods distrained may be restored to owner..... 107
what property exempted from distraint.. 108
appraisement thereof..... 108
certain property of householders, &c. exempt from, in the District of Columbia 389, 390
exception..... 390
of property of obligors of bond to remove distilled spirits from bonded warehouse, upon forfeiture thereof..... 483
tax upon certain distilled spirits may be collected by..... 481
other remedy or modes of collection not excluded..... 481
Distribution,
of congressional journals and documents 447
of bankrupt's estate, provisions concerning. See *Bankruptcy*..... 529
District-Attorney
for eastern district of New York, compensation of..... 324
District-Attorneys,
additional compensation to, for services in the suppression of the slave-trade.. 23
duties of, under civil-rights act..... 28
fees of, and how paid..... 29

District-Attorneys, (continued.)
to commence suit for fines and personal penalties on report of collectors of customs 180
allowance to, for such services..... 180
duties of, in reference to property seized. 181
appropriations for pay of.....205, 455
in suits, &c. under internal revenue law to report thereon to commissioner of internal revenue..... 472
penalty upon, for asking or accepting any money, &c. for compromising, &c. any charge for violating the law relating to internal taxes..... 483
District Court,
for northern district of Mississippi, to be held at Oxford..... 48
for northern district of Georgia, to be held at Atlanta instead of Marietta..... 242
may decree title of the United States to certain lots in Saint Louis, to those having best claims..... 62
proceedings to obtain a decree.....62, 63
certain property not to be so released.... 62
appeal to circuit court, and jurisdiction of that court..... 63
question may be certified to Supreme Court..... 63
to have jurisdiction of violations of act prohibiting the transportation, &c. of nitro-glycerine and kindred substances 82
of the United States in California, appeals to circuit court from decrees of, respecting surveys and private land claims under Spanish or Mexican grants..... 221
appointment of clerks in, in Washington Territory..... 288
southern district of California abolished 300
State of California forms the district of California.....300, 301
western district of Louisiana abolished.. 300
whole State forms the district of Louisiana.....300, 301
salary of judge of the district of Louisiana 301
two terms of, to be held each year at Erie, in the western district of Pennsylvania..... 342
term of, established in Minnesota at Winona..... 14
term at Mankato abolished..... 14
District Courts of the United States,
constituted courts of bankruptcy..... 517
to be always open..... 517
jurisdiction and powers of, in bankruptcy.....517–541
concurrent with the circuit courts... 518
See *Bankruptcy*.
District Judge,
may issue search-warrants to search premises to detect frauds upon the internal revenue..... 153
may issue warrants for seizure of invoices, books, and papers..... 187
District Judges,
appropriations for the.....205, 455
in chambers, to have same powers and jurisdiction as the court under bankruptcy act..... 517
to appoint registers in each congressional district..... 518
opinion of, may be taken upon matters arising in bankruptcy..... 520
penalty against, for offences under the bankruptcy act..... 539
District Judges, (continued.)
to exercise the jurisdiction of circuit court in bankruptcy in certain districts 541
salaries of, established.....470, 471
to be in full for all official services.. 471
appropriations for the.....455, 471
penalty upon, for asking or accepting any money, &c. for compromising, &c. any charge for violating the laws relating to internal taxes..... 483
District of Columbia,
grand and petit jurors in, how summoned, when all names have been drawn from the box..... 1
for December term, 1865, of the Supreme Court..... 1
vacancies in lists, how filled..... 1
certain roads in, may be declared public highways..... 45
intoxicating drinks not to be sold in, without a license..... 213
provisions as to police in..... 212
as to detective officers in..... 212
provisions as to sale of property for taxes by levy court.....215, 216
jail to be erected in..... 231
house of correction for boys established in 232
pay for revision of laws of..... 316
provision for the temporary relief of the destitute population in..... 353
how to be expended..... 353
act to regulate the elective franchise in.. 375
who to be deemed electors and entitled to vote in..... 875
penalty for wilfully refusing to receive, or rejecting the ballot of one entitled to vote..... 375
for wilfully disturbing, &c. an elector in the exercise of his franchise.... 375
judges of criminal courts in the District to give this act in special charge to grand jury at, &c..... 375
voting lists to be prepared in Washington and Georgetown..... 375
evidence of qualifications of voters to be received..... 375
for how long, and on what days previous notice of times and places to be given..... 375
to be posted up in public places ten days before annual election..... 375
check list to be used at all elections..... 375
votes not to be received unless, &c. and until, &c..... 375
penalty for offering, &c. money, &c. to any person to influence his vote..... 376
for accepting money, &c. to influence one's vote..... 376
act to punish illegal voting in..... 390
penalty for voting or offering to vote when not qualified..... 390
for procuring, &c. registration as a voter..... 390
for knowingly voting, or attempting to vote, in wrong ward, or more than once, or double..... 390
judges of election in Georgetown and Washington..... 390
number, appointment, term of office, &c..... 390
voting lists..... 390
sessions for correcting the lists..... 390
lists to be posted in public places ten days before the election..... 390

District of Columbia, (continued.)
act to regulate proceedings before justices of the peace in.....401, 402
justices of the peace to have jurisdiction in civil cases to the amount of $100 401, 402
certain classes of cases excepted.... 402
Supreme Court of District to makes rules of practice..... 402
to prepare and publish forms of pleadings, &c..... 402
to determine a bill of fees and costs. 402
execution not to be stayed in certain cases 402
when to issue in such cases..... 402
to be stayed in other cases, and for how long, upon security given for debt, costs, &c..... 402
justices may issue original writs, civil and criminal, returnable before themselves. 402
cause may be removed to nearest justice upon filing affidavit..... 402
persons in the District not to be fined and imprisoned for disorderly conduct, unless, &c..... 402
officers using unnecessary and wanton severity in making an arrest to be punished as for an assault and battery.... 402
defendants to have reasonable time to prepare for defence..... 402
exorbitant bail not to be demanded..... 402
non-residents not to commence suits before, without first giving security for costs..... 402
persons arrested on a warrant for assault, &c. to be taken before the justice, and may plead guilty and pay fine and costs..... 402
act to amend the law in relation to judicial proceedings in..... 403
appeals from judgments of justices of the peace not to be allowed, unless, &c.... 403
when allowed, proceedings thereon in the Appellate Court..... 403
execution of judgments of the Supreme Court of, not to be stayed, &c. except, &c..... 403
set-off of mutual debts and judgments... 403
form of plea of..... 403
if defendants in certain suits cannot be found, publication may be substituted for personal service.....403, 404
summons first to issue and be returned "not to be found"..... 404
form of order of publication..... 404
sales in cases where publication is substituted for personal service... 404
liens, proceedings to enforce, to be by bill in equity..... 404
decree in such cases..... 404
in actions against foreign corporations, process how served..... 404
power claimed by landlords to seize the personal chattels of his tenant for rent in arrear, abolished..... 404
tacit lien on certain personal chattels of tenant given to landlords..... 404
duration of, and how enforced..... 404
replevin cases, form of declaration and practice in.....404, 405
suits on open accounts, and judgment by default..... 405
proceedings against two or more joint and several obligors, promisors, &c.... 405
effect of sales, &c. under decrees in equity, on rights of former owner..... 406

District of Columbia, (continued.)
costs not to be recovered in certain cases 406
act providing for the punishment of certain crimes in.....406, 407
larceny and punishment therefor..... 406
receiving, &c. stolen goods.....406, 407
malicious, &c. destruction of bank-bills, notes, stocks, &c..... 406
embezzlement and punishment therefor.. 407
receiving, &c. embezzled goods..... 407
by carriers for hire of goods delivered them for carriage..... 407
persons sentenced to imprisonment in the jail, may be employed at hard labor... 407
regulations for such employment... 407
rules for the government, discipline, &c. of prisoners confined in jail..... 407
defendants in certain criminal cases entitled to four peremptory challenges... 407
may have witnesses summoned for them by the government.....407, 408
pay of bailiffs and criers of courts in.... 408
act authorizing limited partnerships in... 435
certain property of heads of families or householders exempt from levy, sale, attachment, or distraint..... 389, 390
exemption not good against certain claims..... 390
deed of such property, sale, &c. not valid unless signed by the wife of debtor, if married..... 399
appropriation for the salaries of judges of the courts in the..... 455
jurisdiction in bankruptcy matters in.... 541
provisions of law as to the erection of the new jail in the..... 428, 575
Ditch and Canal Owners,
right of way granted to, &c..... 251, 253
Dividends,
tax on, of banks, trust companies, savings institutions, and insurance companies.. 138
on additions to surplus or contingent funds..... 138
of life insurance companies, when payable..... 138
what not to be considered dividends of life insurance companies and savings banks..... 138
of bankrupt's estate, under proceedings in bankruptcy..... 530
creditors to decide as to, at a general meeting, called at request of assignee, upon order of court..... 530
assignees' accounts, schedules, &c. to be exhibited..... 530
majority in number and value to decide..... 530
unless one half in value of creditors attend the meeting, assignee to determine upon dividend..... 530
if ordered, register to prepare list, notify creditors, &c..... 530
other and final dividends.....530, 531
in payment of, certain claims to have priority..... 531
creditors accepting preferences, not entitled to share.....528, 534
See *Bankruptcy*.
Dividends and Interest,
tax on, of railroad, canal, turnpike, canal navigation and slackwater companies 139
when such companies are unable to pay and fail to pay interest on their debt, tax not to be paid, until, &c..... 139

"*Dividends in Scrip,*"
to mean what, in § 120 of the internal revenue act..... 4, 5
Dixon, Beals and,
accounts of, to be adjusted and paid, if they have a legal claim for increase of contract price.....607, 608
Dome of Capitol,
appropriations for..... 460
for lighting..... 463
suitable electrician to take charge of lighting apparatus of..... 463
Domingues, José,
land grant to, in California, confirmed... 589
survey to be made, and patent to issue 589
title of the United States only released..... 589
Dominica,
appropriation for diplomatic representatives to..... 225
title of, hereafter to be minister-resident or consul-general..... 226
Doorkeeper,
of the House of Representatives, duty of, in preparing for the organization of the House, in case of the disability of the clerk and sergeant-at-arms..... 397
Dorsey, J. C.,
demand of, to be audited and settled..... 609
Downing, Samuel,
additional pension to..... 619
Draining and Exploring Tunnel,
to the Comstock lode, in Nevada, grant in aid of the construction of..... 242
Drafted Men,
act for the relief of certain..... 417
drafted men who paid commutation, and were required to serve or furnish a substitute, to have $300 refunded..... 417
money paid for commutation or for substitute, by persons not liable to service to be refunded..... 417
appropriation..... 417
claims of loyal persons for services of, as reported by commissioners, not to be paid, until report is approved by Congress.....376, 377
Drafts, &c.,
standing to credit of disbursing officers for three years to be deposited, &c....41, 42
holders thereof to be paid..... 42
Draughtsman,
authorized, and salary established in the bureau of yards and docks..... 450
salary of, established in bureau of ordnance 450
of construction and repair..... 450
of steam engineering..... 450
Drawback, Bureau of,
books and papers in any ports to be delivered to collector of internal revenue. 153
Drawback, (Internal Revenue,)
appropriations for salaries, &c. of superintendents of.....205, 465
none upon cotton exported raw..... 98
upon manufacturers exclusively of cotton, when exported..... 99
amount of, and how ascertained..99, 100
none, in any case, allowed on manufactured tobacco, snuff, or cigars..... 125
no claim for articles exported prior to June 30, 1864, unless presented within three months from date of this act..... 145
none on distilled spirits on which the tax has been paid..... 161
Drawkeepers at Potomac Bridge,
appropriations for the.....206, 456
Dredges and Snag Boats,
appropriation for building and operating on certain western rivers..... 421
Dress Goods,
for women and children, duty on imported..... 561
Drugs,
assistant appraiser to examine in lieu of special examiner..... 302
Drugs, Medicines, &c.,
penalty for making or selling without stamps..... 144
Duchman, Ann I.,
pension to..... 628
Dunbar, Dr. Alexander,
contract may be made with, for use by the government of his mode of treatment of the diseases of the horse's foot..... 613
amount agreed upon to be paid out of what fund..... 613
Dunderberg, The Iron-Clad,
claim of W. H. Webb for constructing, to be investigated..... 424
all rights of the United States in, released to William H. Webb, upon repayment of money received under the contract to build her..... 636
Dunn, Elisha W.,
accounts of, to be settled..... 591
Dustin, Nathan Sargent,
may change his name, by dropping the name of Dustin, and bearing that of Nathan Sargent..... 633
to take effect January 1, 1867..... 633
Dutiable Value
of imported merchandise, how to be determined..... 330
Duties,
certain, upon produce in transit, when the reciprocity treaty expired.....42, 43
on live animals imported..... 48
suits to recover those illegally exacted, provisions concerning..... 187
Duties, (Customs,)
in lieu of duties now imposed by law, on cigars, cigarettes, and cheroots..... 328
paper cigars and cigarettes, including wrappers, to pay same duties as cigars 328
imported cigars, how to be packed..... 328
how to be entered, and where placed 328
to be stamped..... 328
stamps to be provided..... 338
cotton..... 328
compounds or preparations of distilled spirits..... 328
brandy, spirituous liquors, and wines to be imported in casks or packages of not less than certain capacity..... 328
wines in bottles..... 328
all shipped after October 1, 1866, and imported in less quantities, to be forfeited..... 328
excess of moneys for, when may be refunded without compliance with certain forms of law..... 329
dutiable value of imported merchandise, how ascertained..... 330
proceeds of goods sold after remaining three years in public stores, less expenses, &c. to be paid owner, &c..... 330
machinery to make sugar from beets to be duty free for one year..... 330

Duties, (*Customs,*) (continued.)
upon reimportation of products of the United States that have not paid an internal tax, a duty to be imposed equal to such tax 330
may be remitted on salt used in curing fish 328
provisions for goods in transit without payment of duties 328, 329
for carrying goods through the provinces, &c. from one place to another in the United States 329
in lieu of present duties on unmanufactured wool, hair of the alpaca, goat, &c. 559, 560
wools, hair of the alpaca, &c. to be divided into three classes 559
class one, clothing wool, to include what, and duty on 559, 560
class two, combing wools, to include what, and duty on 559, 560
class three, carpet wools and other similar wools, to include what, and duty on 559, 560
samples of various kinds of wool or hair to be deposited in the custom-houses, &c. 560
standard samples in the Treasury Department 560
wools or hair imported in other than the ordinary condition, or changed in condition to evade the duty, or reduced in value by admixture of dirt, &c. to pay double duty 560
rate of duty when wools, &c. of different qualities are imported in same bale 560
when bales of different qualities are embraced in the same invoice 560
no bale, &c. to be liable to less duty from being invoiced with wool of lower value 560
on washed wools of the first class to be double, &c. 560
on scoured wools of all classes to be three times, &c. 560
on raw, &c. sheep or Angora goat skins. 560
on woollen rags, shoddy, mungo, waste, and flocks 560
in lieu of present duties on manufactures of wool imported 561, 562
on woollen cloths, shawls, &c. 562
on flannels, blankets, hats, knit goods, woollen or worsted yarns 561
on endless belts or felts 561
on bunting 561
on women's and children's dress goods and Italian cloth, of wool worsted, or hair 561
on goods weighing four ounces and over per square yard 561
on ready-made clothing and wearing apparel, balmoral skirts, and skirtings of wool, worsted, or hair 561
on webbings, beltings, bands, fringes, cords, &c. made of wool, worsted, or mohair 561
on carpets of various kinds 561, 562
on mats, rugs, screens, &c. 562
on oil-cloth, water-proof cloth, and oil-silk cloth 562
"*Duty*,"
the word in the internal revenue act to mean "tax" 104
Duty,
certain produce of the forests of Maine to be admitted free of 9
certain produce of the forests of Maine sawed in New Brunswick, &c. may be admitted free 56
articles exempt from, under the internal revenue law 147–150
on lastings, &c. for shoes, buttons, &c. repealed 571
articles used in preparation, &c. of teas may be admitted into Japan free 655
certain, admitted at reduced duty of five per cent 655
Duty Pay,
of officers of revenue-cutter service 416
D'Wamish,
appropriations for the 266, 500
Dyer, Lewis,
accounts of, to be audited and settled 616
to be allowed pay and emoluments of surgeon of volunteers 616

E.

East Capitol Street, Washington, D. C.,
act to grade 251
Eating-Houses, Keepers of,
definition of and special tax on 118
Eaton, Almanson,
credit to be allowed to, in settlement of his accounts for public money lost by fire 644
Eddy, E. W.,
estate of, to be credited 580
Education. See *Department of Education.*
department of, established 434
commissioner of, to be appointed 434
land grants by Congress to promote, statement of to be presented in first report of commissioner to Congress ... 431
lands granted and reserved for, by treaties with Indian tribes ..688, 689, 775, 776, 803
Egypt,
certain judicial powers given to American consuls in 322
power of consul-general at Alexandria .. 322
Eighth Census,
appropriation for payment due certain marshals and assistants for taking the. 468
no payment to any one who participated in the rebellion 468
to pay total liabilities for the 460, 461
Eiswold, Theodor G.,
two bonds to be issued to, in lieu of two partially destroyed 584
indemnity bond to be first given 584
Elder, Christina,
arrears of pension to 587
Elections
of senators in Congress, provisions concerning 244
Elective Franchise,
in the District of Columbia, act to regulate 375
in the Territories of the United States, act to regulate 379
not to be denied to any citizen of the United States on account of race, color, or previous condition of servitude 379
inconsistent laws repealed ..379, 380
in Nebraska, not to be denied on account of race or color, except, &c. 392

Electors,
who to be deemed, in the District of Columbia..... 375
Embezzlement,
what acts of disbursing officers to constitute, of public moneys.....64, 65
what of officers of national banks... 65
in the District of Columbia, punishment of 407
Emperor of Russia,
congratulations of Congress upon his escape from assassination..... 355
President requested to forward..... 355
Endless Belts or Felts,
duty on imported..... 561
Engineer Corps of the Army,
officers of the, their rank and pay..... 335
Engineer in Interior Department,
appropriations for office of the.....20, 21
commutation of quarters and fuel... 21
Engineer Officer,
having charge of the Union Pacific Railroad and branches, land-grant railroads and wagon roads, appropriations for... 468
of corps of engineers, quarters and fuel.. 374
Engineers,
pay and allowances of quartermaster-sergeant of battalion of..... 393
Engineers, Civil,
definition of, and special tax on..... 121
Engineers, Licensed,
wrongfully refusing to serve as such, to forfeit $300..... 227
license to be revoked..... 227
Engineer Soldiers,
five companies of to constitute a battalion 335
Engineer Troops,
appropriation for erection of barracks and quarters for..... 488
Engraving,
appropriations for.....193, 443
Engraving and Lithographing,
for medical and surgical history of Rebellion, and medical statistics, how to be executed..... 311
Enlisted Men,
however employed, to be treated as non-commissioned officers or privates, as regards pensions..... 57
detailed for special duty, not thereby to be deprived of bounty..... 363
provision as to commutation of rations to apply to those who died as prisoners of war or after their release..... 423
to whom to be paid..... 423
payment to certain, of the Seventh regiment of West Virginia volunteers.645, 646
Enlistments,
into the army, hereafter, to be for what term..... 333
for cavalry, five years..... 333
for artillery and infantry, three years 333
recruits at general rendezvous..... 333
when wounded men may be enlisted..... 333
to what regiments assigned..... 333
Enrolled and Licensed Vessels,
on northern, &c. frontiers, sea-stores purchased for, in any port in adjacent British provinces, to be reported at first port of arrival in the United States... 183
equipments and repairs of, to pay duty 183, 184
when duty may be refunded..... 184
when to pay tonnage duty..... 185
to pay fees of customs officers incident to enrolment, &c..... 185
Enrolling Officers,
provisions of pension laws extended to.. 230
how to be ranked..... 230
Enrolment and License,
or registers to issue to certain vessels... 40, 41
certificates of, to issue to certain vessels.. 255
assistant collector at Camden, New Jersey, may give to certain vessels engaged in the coasting trade and fisheries.. 417
Ensigns,
number of grade of, in the navy, established..... 222
increase in grade, how made..... 222
seventy-five may be appointed from naval volunteer service..... 222
Envoys Extraordinary, &c.,
appropriations for.....224, 412, 413
salaries of those hereafter appointed to be only those of minister resident, except when, &c..... 226
Equipment and Recruiting,
appropriations for bureau of 34, 200, 201, 450, 451, 490
additional clerks in, authorized..... 207
Equipments,
including boats and expenses of repairs of vessels on northern frontiers, to be entered and pay duty.....183, 184
if purchased from necessity, duties may be refunded..... 184
Escutcheons
of West Virginia and Nevada, to be painted..... 314
Estimates,
Postmaster-General to make annual, for his department..... 49
Evidence. See *Bankruptcy.*
in proceedings under the bankruptcy act, may be taken viva voce or in writing.. 536
before whom may be taken..... 536
Examination. See *Bankruptcy.*
of bankrupts under the bankruptcy act..528, 529
how conducted.....529, 536
where bankrupt is imprisoned, or under disability, or out of the district..... 529
Examinations,
of officers applying for commissions in the army..... 336
appropriations for, of certain public works, and improvements in harbors, rivers, bays, and flats.....418, 422
See *Public Works.*
Examinations and Surveys,
of works of improvement, appropriations for.....71, 74, 418, 422
re-examinations and changes of plans 71
of harbors, and other places.....71, 74
no contract for, to be made, except after public advertisement..... 73
results of surveys to be reported to Congress..... 73
report to state what..... 73
to be continued until works are completed..... 73
Examiner of Claims for State Department,
appointment and salary of..... 226
Examiner (Special) of Drugs
at the port of New York, an assistant appraiser to perform duties of..... 302
Examiners,
pay of those employed as, in patent office 66
of imported merchandise in New York.. 303
appointment and number of..... 303

Examiners, (continued.)
qualifications, oath, duties, and pay..... 303
not to be engaged in mercantile business 303
Exchange of Public Documents,
resolution to provide for the..... 573
fifty copies of all documents and publications by any department to be placed at the disposal of the joint committee on the library..... 573
to be exchanged, through the Smithsonian Institution, for such works published in foreign countries.... 573
such works to be deposited in the library of Congress..... 573
Execution,
certain property of householders, &c. exempt from, in the District of Columbia.....389, 390
exception..... 390
rules as to stay of, in the District of Columbia, on judgments of justices of the peace..... 402
of judgments of the Supreme Court of the district not to be stayed, &c. except, &c..... 403
Executive,
appropriations for the expenses of the.. 324, 440, 444, 456, 463, 469
Executive Buildings,
appropriations for the..194, 197, 200, 201, 444, 446, 450, 451
Executive Departments. See *Public Documents*.
regulations as to printing the reports of the..... 305
Executive Mansion,
appropriations for repairs and furnishing 373, 469
no further payments to be made for repairs and furnishing, until accounts are approved by joint committee of Congress..... 469
Exemption,
certain property of a head of a family or householder, exempt from levy, sale, attachment or distraint in District of Columbia.....389, 390
exemption not good against certain claims..... 390
Exemptions,
property exempt from distraint and sale for taxes..... 108
articles and products exempt from taxation.....147–150
crude petroleum, crude oil, paraffine oil. 355
certain additional articles and products exempted from internal tax.....476, 477
confined to articles in what condition 477
from operations of assignments under bankruptcy act.....522, 523
to operate as a limitation upon the conveyance.....523
See *Bankruptcy*.
Ex-Mission of San Jose,
lands of, not to be included in grant to Western Pacific Railroad..... 356
Expenses,
of negotiating treaty with the Poncas, to be borne by the Indians..... 676
Experimental Garden,
appropriations for.....202, 452
Exploration, Geological and Topographical,
of the territory between the Rocky Mountains and the Sierra Nevada, authorized..... 457
Exploration, &c. (continued.
route or routes of the Pacific Railroad included..... 457
to be done out of existing appropriations..... 457
Exploring Expeditions,
of the government, appropriation for preservation of collections of.....19, 316, 464
Explosion at the United States Arsenal
at Washington, D. C., appropriation to help the sufferers by the..... 351
by whom to be distributed..... 351
Exportation,
of certain bonded goods, provisions concerning..... 8
of articles under the internal revenue law, provisions concerning..... 153
officer appointed to superintend..... 153
compensation of..... 153
at ports where there is no superintendent, duties to be performed by collector of internal revenue.....161, 162
Export Duties,
under treaty with Japan..... 655
Exports,
act to provide for, and regulate the weighing of..... 289
appropriation for salaries, &c. of superintendents of, under internal revenue act.....205, 445
Express Carriers and Agents,
definition of, and special tax on..... 121
only one tax from a firm and from the principal only..... 121
Extra Pay,
to soldiers employed as artificers or laborers in constant labor of not less than ten days..... 93
to non-commissioned officers acting as overseers..... 93
not to be given to troops of engineer and ordnance departments..... 93

F.

Falsely Personating,
a revenue officer, and assuming to act as such, how punished..... 484
Faris, John,
pension to orphan children of..... 627
Farley, Joel,
pension to..... 595
Farragut, Vice-Admiral David G.,
thanks of Congress to, and the officers, seamen, and others under his command, for gallantry and good conduct in Mobile Bay..... 349
President and Secretary of the Navy to communicate this resolution..... 349
Farran, Margaret A.,
pension to..... 594
Fay, Caleb T.,
accounts of, to be audited and settled.... 612
Fees,
of claim and pension agents..... 57
of certain consuls and commercial agents and their deputies to be accounted for..... 226
excess of, over $2500 above office-rent and clerk hire to be paid to Secretary of Treasury..... 226
of agents or attorneys for collecting claims of colored soldiers, &c. for bounties, pay, and allowances..... 368

Fees, (continued.)
bill of, in suits before justices of the peace in the District of Columbia..... 402
of registers under the bankruptcy act, 519, 521, 540
in dividends, to have priority of payment..... 531
of officer, &c. for duties under the act..... 540
to have priority of payment..... 540
general orders may be made prescribing. 540
may be changed from time to time.. 540
Female Clerks,
appropriation for additional pay of..... 26
in Post-office Department, twenty per cent additional pay to..... 324
in office of commissioner of internal revenue..... 170
Female Clerks and Counters,
annual pay to be $900..... 207
Female Folders,
in dead-letter office, pay of, established.. 324
Female Inspectors,
employment of, for search, &c..... 178
Fencing,
public grounds, appropriation for..... 373
Fermented Liquors,
provisions of internal revenue law concerning.....164, 167
See *Internal Revenue, p.* 895.
sour and unfit for use, may be sold, without stamps, for manufactory purposes 167
when law relating to, takes effect..... 168
Ferries,
tax on gross receipts of..... 475
Ferry Boats,
owned by foreign railroad corporation, provisions concerning..... 410
Fictitious Proof,
penalty for adding ingredients to spirits to create, before tax is paid 160
Fiduciary Debts. See *Bankruptcy*.
not released by discharge in bankruptcy.. 533
Field, Cyrus W.,
thanks of Congress and a gold medal to.. 574
copy of resolution engrossed on parchment, to be sent by the President, with the medal, to..... 574
appropriation..... 574
Field and Mounted Officers,
pay of, to be the same as that of cavalry officers of like grades..... 422
Field Order, General Sherman's Special,
provisions for occupants of lands under.. 175, 176
Fifth Auditor,
appropriation for, and for office of.. 195, 196, 445, 446
Fines and Forfeitures,
under internal revenue law, collectors to sue for 111, 145
suits where to be brought.....111, 145
not to be commenced without authority..... 145
what amounts to be paid informers.. 101, 113, 145, 146
Fines, Penalties, and Forfeitures,
under customs law, act to regulate the disposition of the proceeds of.....546, 547
deduction of authorized charges and expenses..... 546
of amount equal to the duties in coin, &c..... 546
residue to be paid into the United States treasury and distributed..... 546
Fines, Penalties, and Forfeitures, (continued.)
one half to the United States..... 546
one fourth to the informer..... 546
one fourth to collector, naval officer, and surveyor, equally..... 546
to collector only in districts where there is no naval officer or surveyor..... 546
where officer of revenue cutter is informer, the residue to be divided as follows. 546, 547
one fourth to the United States.... 547
one fourth to officers of the customs, as above 547
one half to officers of revenue cutter, to be divided among them in proportion to their pay..... 547
Finney, Mary E.,
payment to, of extra pay of Solon H. Finney 617
Fire. See *Portland*.
act for the relief of the sufferers by the, at Portland..... 304
Fire Department,
of Washington city may use and occupy certain buildings and engine-houses... 397
Firemen's Insurance Company of Washington and Georgetown,
certain sections of act incorporating, repealed 9
stock how to be issued, held, and transferred 9
Fire-Proof Brick Building,
for Treasury Department..... 317
Fire-Proof Buildings,
for War Department, estimates for..... 327
First Assistant Engineers,
in the navy, appointment, rank, and pay of..... 223
First Auditor,
appropriations for, and for office of.. 195, 196, 444, 446
First Comptroller,
appropriations for, and for office of.. 194, 196, 444, 446
First National Bank,
appropriation for interest on loans to government by..... 313
Fisheries,
assistant collector at Camden, N. J., may give enrolment and licenses to certain vessels engaged in..... 417
Fisher, Peter,
pension to..... 627
Fisher, Ulysses E.,
claim of, for horses and other property impressed into the military service and lost, to be audited and paid..... 643
limit to amount to be allowed..... 643
Fish, George W.,
payment to, for consular services at Ningpo, China 617
Fishing Bounties,
laws allowing to vessels licensed to engage in the fisheries, repealed..... 328
duties may be remitted on salt used in curing fish..... 328
Fish, James S.,
claims of certain forces called out under the command of, to be investigated and paid 565
Fitzgerald, Delia A.,
may apply for extension of patent granted to Jesse Fitzgerald..... 621

Fitzgerald, Delia A. (continued.)
application for extension of patent to be made within what time.... 621
intervening rights of third persons saved 621
Fitzgibbon, Sarah,
pension to..... 579
Fitzpatrick, Mary,
pension to..... 629
Five-Cent Pieces,
act to authorize the coinage of..... 47
composition, weight, shape, and devices of 47
laws relating to coinage of cents, and to coins, made applicable..... 47
to be legal tender for what amount..... 47
to be paid in exchange for currency.... 47
may be redeemed in sums of not less than one hundred dollars..... 47
unauthorized making, &c. of, punishable 47, 48
fractional currency of five cents not to be issued..... 47
old issues to be cancelled..... 47
Fix, Col. Lewis Ferdinand,
payment to, as lieutenant-colonel..... 613
Flatheads,
appropriations for the.....269, 500, 501, 514
Fletcher, Elizabeth,
pension to..... 620
if she dies or remarries, pension to legal guardian of orphan children of Captain L. W. Fletcher 620
Flint and Pere Marquette R. R. Co.,
may change the western terminus of its road..... 78, 79
Florida,
the insurrection declared to be at an end in..... 813
all public lands in, to be disposed of according to homestead law.....66, 67
See *Lands, Public.*
act to provide for the more efficient government of..... 428
constituted part of the third military district..... 428
See *Rebel States.*
act for final adjustment of private land claims in, extended for three years.... 544
Florida, the Rebel Steamer,
property saved from, may be sold and distributed as prize..... 322
Fogg, Isabella,
pension to..... 5
pension of, increased..... 630
Fog Signals,
appropriations for new and efficient ones at, &c..... 313
and buildings connected therewith, appropriations for.....458, 459
Folders, Female,
for dead-letter office, pay of established.. 324
Folding Documents,
appropriations for..... 393
Food and Clothing,
public vessel for transportation of supplies of, to the suffering people of the Southern States..... 367
Forbes, Paul S.,
contract with Navy Department for building the steam screw sloop of war Idaho, to be discharged by acceptance of said vessel for the money already paid him..... 640
Force, Peter,
appropriation to purchase historical library of, for library of Congress..... 464
Ford's Theatre,
appropriation for purchase of..... 23
to what uses to be applied..... 23
Foreign Convicts,
protest against pardons of, by foreign governments, on condition of emigration to the United States..... 353
such acts not to be repeated..... 353
Foreign Corporations,
in actions against, in the District of Columbia, process how served..... 404
Foreign Intercourse,
contingent expenses of..... 374
appropriations for.....224, 412–414
Forfeited Distilled Spirits,
not to be sold for less price than the tax.. 484
to be destroyed if they cannot be sold for such price..... 484
Forfeiture,
proceedings where property seized for, does not exceed $500 in value..... 180
claimants of..... 181
applications for remission of.....181, 182
Forfeitures. See *Fines and Forfeitures.*
under internal revenue law, to be prosecuted.....111, 145
in cases of, of goods, the casks, packages, horses, &c. used in removal to be forfeited..... 151
incurred under customs laws, act to regulate the disposition of the proceeds of.. 546, 547
Forged Bonds or Securities, &c. See *Penalty.*
penalty for buying, receiving, &c. with intent, &c..... 383
Forgery. See *Penalty.*
of signature of judge, register, or other officer of court of bankruptcy, how punished..... 539
of any bond, bid, record, &c. to defraud the United States..... 12
Fort Gratiot,
buildings erected on military reservation at, by any railroad company, to be fireproof..... 410
Fort Howard Military Reserve,
unsold lots of land at, to be offered for sale at public auction.....88, 89
advertisement, mode of sale, &c.... 89
patents to issue therefor..... 89
Fortifications,
appropriation for the construction, preservation, and repairs of, and other works of defence for the years ending June 30, 1867 and 1868.....61, 487
for Fort at Alcatraz Island.....61, 488
Fort Church.....61
Fort Clinch..... 488
Fort Constitution..... 61
Fort George.....61, 488
Fort Hamilton..... 61
Fort Independence..... 488
Fort Jefferson.....61, 488
Fort McClary..... 488
Fort Mifflin..... 61
Fort Monroe.....61, 488
Fort Montgomery.....61, 488
Fort Ontario..... 61
Fort Popham..... 61
Fort Preble..... 488
Fort Scammel.....61, 487

Fortifications, (continued.)
Fort Schuyler....61, 488
Fort Taylor....61, 488
Fort on site of Fort Tompkins....61, 488
Fort Warren....61, 488
Fort Washington....61, 488
Fort Wayne.... 61
Fort Winthrop....61, 488
Fort at Fort Point....61, 488
at Lime Point....61, 488
at entrance of New Bedford harbor....61, 488
at Sandy Hook....61, 488
at Willett's Point....61, 488
on Ship Island.... 61
for sea-walls on Deer and Lovell Island 61
at Great Brewster's Island.... 61
permanent platforms for modern cannon of large calibre.... 61
survey of northeastern and northwestern lakes.... 62
purchase of sites for seacoast defences... 62
no purchase to be made until title is approved by Attorney-General.... 62
for purchase and repair of instruments... 488
survey of western and northwestern lakes 488
purchase of sites for permanent seacoast defences.... 488
for temporary seacoast defences..... 488
no purchase to be made until validity of title is passed upon by Attorney-General, and expediency of purchase approved by Secretary of War.... 488
construction and repair of barracks and quarters for engineer troops at depot of engineer supplies at St. Louis..... 488
at Willett's Point, New York..... 488
not over fifty per cent of these appropriations to be expended during this fiscal year.... 488
residue, not until ordered..... 488
board of officers to make experiments to test the relative powers of resistance of the turret and broadside systems of iron-clad vessels of war, &c. and whether the best stone forts will resist guns of the heaviest calibre, &c.....488, 489
secretaries of the war and navy to furnish facilities.... 489
to be done from unexpended funds, and to be borne equally..... 489
Fort Laramie Indians,
purchase of annuity goods for, in lieu of those destroyed by fire..... 208
appropriations for the..... 493
Fort Riley, Kansas,
southwestern boundary of military reservation at, established.....573, 574
lands released granted to Kansas for bridge over Republican river..... 574
patent, when to issue..... 574
this grant not to interfere with any former grant by the United States..... 574
Forts,
experiments to test whether the best stone, will resist the heaviest guns, &c....488, 489
Foundry (Methodist Episcopal) Church,
trustees of, may sell and convey square number 235 in the city of Washington, free of any trust, &c..... 396
the dead interred in that ground to be removed and placed in some public cemetery..... 396
Fourth Auditor,
appropriations for, and for office of..195, 196, 445, 446
Fowler, Mary B.,
pension to..... 629
Foxes,
appropriations for the.....263, 506, 507
Fox, Fontaine T., Jr.,
payment to..... 612
Fox, Gustavus V.,
may accept presents from the Emperor of Russia..... 646
such presents may be admitted free of duty..... 646
Fractional Currency,
none to be issued of denominations of less than ten cents..... 47
old issues of less denominations to be cancelled..... 47
Fractional Townships,
certain, relinquished by the United States to the Poncas..... 675
Frank, George R.,
payment to..... 584
Franking Privilege,
granted to Mary Lincoln..... 3
official communications between certain revenue officers to go free..... 170
special commissioner of the revenue to have 171
given to director of bureau of statistics.. 331
Franklin, Benjamin,
pension to..... 592
Frauds,
upon the United States, appropriation for detection and punishment of perpetrators of.....310, 449, 455
Frauds on the Revenue,
warrants, for search of premises and seizure of books, invoices, and papers, may be issued by district judge, on complaint and affidavit..... 547
books, invoices, &c. may be examined and retained, subject to order of judge..... 547
warrant not to issue, unless, &c..... 547
to be returned with report of service, &c. thereon..... 547
Fraudulent Conveyances. See *Bankruptcy*.
void under the bankruptcy act.....534, 535
property conveyed by, may be recovered by assignee..... 523
to vest in assignee by the adjudication of bankruptcy..... 523
Freedmen,
moneys raised for support of, and received by any army officer, to be charged to him..... 65
expenditures properly made to be credited..... 65
balance to be paid into treasury for fund for relief of..... 65
officers not paying over balance in their hands, how treated..... 65
accounts for expenditures for, to be paid from what fund, and how..... 65
bureau for relief of, &c. provisions concerning.....173–177
lands occupied by, under General Sherman's field order, not to be restored until 176
appropriations for bureau of..... 92
bureau of..... 486
See *Bureau, &c.*
rights of, among the Choctaws and Chickasaws.....770, 778

Free Letters,
may be forwarded at request of party addressed, without extra postage..... 60
Free of Duty,
certain produce of the forests of Maine sawed, &c. in New Brunswick..... 9
machinery to make sugar from beets, for one year..... 330
articles and products under the internal revenue law.....147–150
Freight,
when collector of customs is notified in writing of lien for, on imported merchandise in his custody, he may refuse to deliver the merchandise until the freight is paid or secured..... 547
not to be responsible for losses in consequence of refusal..... 547
upon merchandise to be paid upon notice, in case of sale after forfeiture..... 547
French Vessels,
rates of tonnage duty on, entering ports of the United States, declared, and how long to continue in force..... 818
Fresh-Water Basin,
for iron-clad vessels of the navy, board to examine site for, near Portland, Maine..... 357
Frye, Barbary,
widow of Henry Frye, pension to..... 617
Fuel and Lights,
appropriations for....310, 314, 393, 462, 463
Fulton, James,
credit to be allowed to, for clothing and small stores, abstracted from building under his charge..... 740
Funds (Trust),
held by the United States for Indian tribes, Attorney-General to inquire into condition of..... 497
to report what stocks are not paying, the security of the United States, and the remedy..... 497
appropriation for interest on non-paying stock..... 514
Furniture and Repairs,
appropriations for.....373, 461
Fyffe, Lieutenant Joseph P.,
may be appointed to active list in navy, and restored to his rank therein..... 408

G.

"Gallon,"
to mean gallon of first proof.....158, 481
Galveston, Texas,
salary of collector of customs at, established..... 308
plans and estimates for improving harbor of..... 422
for erecting suitable breakwater at.. 422
Gardapier, Alexis,
claim of, to land in Wisconsin confirmed.. 615
land to be surveyed and patent to issue..... 615
Garnishment,
writs of, from the Supreme Court of the District of Columbia, provisions concerning..... 54
Gas Fitters,
definition of, and special tax on..... 121
additional special tax on certain..... 471
Gas,
tax on, to be charged to consumers..128, 474
Gaston, Anna G.,
pension to..... 589
Gates, Lucinda,
pension to..... 597
Gaugeable Goods,
exported, upon which return duty or drawback is allowed, or withdrawn from bonded warehouse for export, ten cents a cask to be levied and collected on..... 470
Gauge Cocks,
for steamboat boilers..... 227
Gaugers,
at New York, salary of, established at $2,000..... 470
not to exceed the amount of fees earned by them..... 470
General. See *General of the Army, &c.*
one of the army, pay, emoluments, and staff..... 333
General Agent,
at New York for the industrial exposition at Paris.....347, 362
limit to his term of service..... 363
General Appraiser,
in New York, salary of, established at $3,000..... 466
General Bonded Warehouse,
spirits in bonded warehouse attached to distillery to be removed to..... 482
spirits afterwards produced in such distillery to be transferred directly to.... 482
General Bonded Warehouses,
for storage of spirits may be provided... 155
See *Internal Revenue.*
General Council. See *titles of the several Indian Treaties.*
of Indian nations, resident in the Indian Territory, provisions concerning..758, 772, 773, 788, 802
General Customs Law,
to be prepared and submitted to Congress, 367
General Hospital of the District of Columbia,
act of incorporation of the.....299, 300
powers and officers, &c. of.....299, 300
General Inspectors of Spirits,
appointment and fees of..... 156
General Land Office,
appropriations for the.....197, 447
extra pay to commissioner and chief clerk of..... 314
deficiency in salaries of registers and receivers..... 325
clerical work in, to whom only to be given..... 447
General Officers,
may receive an additional ration for every five years' service..... 423
General of the Army of the United States,
grade of, revived..... 223
appointment, duties, and powers of..... 223
pay and allowances of..... 223
chief of staff and his pay, &c..... 223
aides, their rank and pay..... 223
one, authorised, pay, staff, &c..... 333
to have head-quarters at Washington, D.C. 486
not to be removed, suspended, or assigned to duty elsewhere, except at his own request, without the approval of the Senate 487
all orders and instructions relating to military operations to issue through him 486, 487
otherwise to be void..... 487
penalty for knowingly issuing, transmitting, or obeying orders contrary hereto 487

General Orders,
relating to practice and procedure in bankruptcy to be made by justices of the Supreme Court..... 521
may be annulled, changed, and new ones made..... 521
General Post-Office Building,
appropriations for extension of..... 318
Geological and Topographical Exploration,
of the territory between the Rocky Mountains and the Sierra Nevada, authorized 457
route or routes of the Pacific railroad included..... 457
to be done out of existing appropriations..... 457
Geological Survey,
of Nebraska, provision for..... 470
how to be prosecuted..... 470
"*George M. Barnard,*"
name given to the ship "Art Union,"... 351
Georgetown, D. C. See *District of Columbia.*
salary of collector of customs at, established..... 308
to provide suitable rooms, &c. for orphans' court and registry of wills..317, 318
may levy a tax therefor..... 318
to levy a special tax for increased pay of metropolitan police..... 374
to bear part its proportion of tax for increased pay of the metropolitan police. 321, 456
the proportion how ascertained..... 457
to contribute towards payment for jail... 231
for house of correction for boys.... 235
tax to be levied for.....231, 235
proceedings in default of payment of..... 232, 235
amount to be raised and paid into the treasury towards the completion of the new jail..... 428
repeal of former law respecting..... 428
mayor and aldermen of, to prepare voting lists..... 375
to be in open session to receive evidence of qualifications of voters, &c..... 375
judges of election in, appointment, number, term of office, powers and duties of..... 390
Georgia,
district court of the United States in, for northern district of, to be held at Atlanta instead of Marietta..... 242
the insurrection declared to be at an end in 813
act to provide for the more efficient government of..... 428
constituted part of the third military district..... 428
See *Rebel States.*
German Newspapers,
tax-law to be published in certain..... 173
Gibbons, Francis A.,
payment to..... 585
papers in the case of, to be referred back to court of claims..... 644
court to grant a rehearing if, &c.... 644
Gift,
of land in the Thames river, offered by the State of Connecticut near New London, to be accepted and held for naval purposes..... 489
Gift Enterprises, Proprietors of,
definition of, and special tax on..... 120
tax to be in addition to other taxes..... 120
"*Glance,*"
register to issue to the steam yacht..567, 568
to be granted to William Levering, Jr. 568
Glasgow, Thomas,
pension to..... 627
Glass, Manufactures of,
other than window glass, tax upon..... 475
Gleason, William,
pension to..... 631
Glover Museum,
appropriation for the purchase of the.... 452
Glynoin Oil. See *Nitro-Glycerine.*
transportation, &c. of, forbidden..... 81
Gold and Silver Mines,
statistics of, in western States..... 34
Gold, Cornelius B.,
credit to be allowed to, in settlement of accounts of..... 587
Gold Plate,
annual tax on..... 135
Gold Watches,
annual tax on..... 135
Goodrich, Ambrose L.,
demand of, to be audited and settled..... 609
Goods, &c.,
arriving at designated ports destined for places in adjacent provinces, &c. may be entered and carried through the territory of the United States without payment of duties.....328, 329
with the consent of the authorities of the provinces, &c. may be carried across their territory from one place to another in the United States..... 339
Gordon, Ezra B.,
pension to..... 624
Gordon, John,
pension to..... 596
Gordon, Jonathan W.,
credit to be allowed to, in settlement of accounts..... 590
Gould, Adeline M.,
mother of Eugene E. Gould, pension to. 623
Gouler, Emerance,
pension to.....584, 594
Government Water Pipes,
unlawful tapping of, punished..... 251
Grain,
parts of building may be bonded for storage of..... 187
number of bushels to be found by weight 187
pounds to a bushel..... 187
Grams,
fifteen of the metric weights to be the equivalent for postal purposes of the half-ounce..... 301
Grand Portage Indians,
appropriations for the.....257, 494
Grants,
in all, to corporations, when the United States reserves the right to appoint directors, engineers, commissioners, &c. to examine roads, and act with the officers of the company, all expenses and pay of such persons are to be borne by corporation..... 299
rate of pay to such persons..... 299
if company neglects to pay, no more patents for lands, &c. to issue.... 299
Grants of Land. See *Public Lands.*
made by Congress to promote education, statement of, to be made by the commissioner of education in his first report to Congress..... 434

Gratitude
of the nation to the officers, soldiers, and seamen of the United States, expressed by Congress....354, 355
Gratuities,
penalty for offering to officers of revenue, &c.... 187
upon revenue officers for receiving.. 187
Gray, Andrew J.,
pension to.... 593
Gray, John,
pension to.... 620
Great Osages. See *Osages.*
treaty with....687, 693
Greece,
appropriation for minister resident in, repealed.... 322
Green, Abby,
payment to, for aiding Union soldiers to escape from Libby prison.... 639
Greenhouse,
appropriation for construction of new... 463
how to be expended.... 463
plan of, and how to be built.... 463
Greenhouses,
appropriations for....193, 443
Grinders of Coffee or Spices,
definition of, and special tax on.... 122
Gross Receipts,
from passengers and mails, by railroads, steamboats, coaches, canals, &c. tax on.... 135
of toll-roads, tax upon, repealed.... 485
Gros Ventres,
appropriations for the.... 493
Guano,
provision as to exportation of certain... 328
Gunboat,
one of the United States to be transferred to the republic of Liberia....39, 40
Gunpowder,
purchase of site for, and erection of, building for magazine for storing.... 92
tax upon.... 474
Guns,
of heaviest calibre, experiment to test effect of, upon stone forts, iron-clad vessels, &c....488, 489
facilities for making the experiments to be furnished by the secretaries of the war and navy.... 208
Gwynn, Stewart,
mode of adjustment of accounts of.... 208

H.

Habeas Corpus,
courts of the United States and judges thereof, in addition to present authority, may grant writs of, in certain cases.... 385
pplication for writ to be in writing and to state what.... 385
to be verified by affidavit.... 385
writ to be awarded forthwith, unless, &c. 385, 386
how to be directed.... 386
return to be made to, and within what time.... 386
upon the return, a day to be set for the hearing and within what time.... 386
petitioner may on oath deny the facts set forth in the return and allege others... 386
return may be amended.... 386
court or judge to determine the facts summarily and discharge the prisoner, if, &c.... 386
penalty for refusing to obey the writ..... 386
for not making a return or making a false return.... 386
appeal from any inferior court, &c. to circuit court.... 386
from circuit court to the supreme court.... 386
terms, regulations, and orders respecting, &c.... 386
pending such proceedings or appeals, and after final judgment discharging the petitioner, all proceedings in State courts void.... 386
this act not to apply to persons held in custody of military authorities charged with any military offence, or aiding, &c. rebellion prior to the passage hereof.... 387
Habeas Corpus cum Causa,
to be issued by the clerk of the circuit court of the United States in suits begun in State courts and removed to the circuit court when the defendant is in actual custody under the State process.... 385
the marshal to take the body of the defendant to be dealt with in the circuit court.... 385
to file with, or deliver to the clerk of State court, duplicate copy of writ 385
attachments, bail, &c. to continue in full force.... 385
Hafer, William H.,
pension to.... 630
in case of his death, to John's widow and orphan children.... 630
Hair. See *Duties.*
of the alpaca, goat, and other like animals, duty on unmanufactured, imported....559, 562
duty on manufactures of....561, 562
Half-Breeds,
of the Osage Indians, certain, to have patents issue to, for eighty acres of land including their improvements 689, 690
Hall, Emma J.,
pension to.... 580
Hamilton, Mary C.,
pension to.... 594
Hamlin, John H.,
payment to, of pay and allowances as second lieutenant of cavalry.... 643
Hamrick, Wyatt H.,
accounts of, to be settled.... 610
Hancock County Bridge Company,
may construct and maintain bridge across the Mississippi River.... 245
Hancock, Major-General Winfield S.,
thanks of Congress to, for gallantry, &c. at Gettysburg.... 354
Handbills,
the printing or engraving, &c. of, in the similitude of any United States obligation or security declared unlawful..... 383
Handy, William,
payment to, for extra clerical services... 22
Hankow,
pay of consul at, established.... 225
Harbor and Ship Canal,
at Portage Lake, additional grant of lands to Michigan for.... 81

Harbor, Breakwater, and Ship Canal,
from Green Bay to Lake Michigan, grant of lands for..... 30
Harbors,
appropriations for examinations, &c. of works at various, and for surveys of.....71–74, 419–422
See *Public Works.*
Hard Labor,
persons sentenced to imprisonment in the jail in the District of Columbia may be employed at..... 407
proceeds of, how to be applied..... 407
Harmon, Matilda,
widow of Jacob Harmon, pension to.... 617
Harris, Edgar T.,
pension to..... 610
Harris, Jane,
pension to..... 592
Harvey, Effie J.,
widow of Clinton D. Harvey, pension to 631
Harvey, J. S.,
assistant paymaster in the navy, not released from responsibility for money stolen..... 618
Harvey, Rufus L.,
pension to..... 627
Hastings, John,
credit to be allowed to, in settlement of accounts..... 604
Hats,
tax upon..... 474
Hawaiian Bark, "Kamahamaha V.,"
payment to owners of..... 599
Hawaiian Vessels,
acts imposing discriminating duties of tonnage and impost within the United States, suspended as to, and their cargoes, and how long to continue..... 819
Hay,
not to be carried on deck, or guards of passenger steamers, except, &c..... 227
Hayti,
appropriations for diplomatic representatives to..... 225
title of, hereafter to be minister-resident and consul-general..... 226
salaries of minister-resident and consul-general to..... 414
Heads of Divisions,
office of, in the office of commissioner of internal revenue, established..... 170
Heads of Families,
loyal persons, members of any tribe of Indians at peace with the United States, may buy a quarter-section of land each, in the sales of the lands of the Osages' reservation..... 688
allotment to those among the Indians of Middle Oregon..... 752
"Heads of Families of the African Race,"
sales of lands made to, by the tax commissioners of South Carolina, confirmed 175
leases to, when may be changed into certificates of sale..... 175
Head-quarters. See *General, &c.*
of general of army of the United States to be in Washington..... 436
Heald, Joseph G.,
claim against the Choctaws, &c., for damages to be determined.....780, 781
Health Laws. See *Quarantine and Health Laws.*
provisions for the enforcement of, against the cholera, in aid of State authorities. 357
Heating Apparatus,
appropriations for.....192, 373, 441
for public buildings..... 461
for Supreme Court room, law library, &c..... 462
for President's house..... 463
Hedrick, Hiram,
pension to..... 620
Heermance, Harrison,
payment to, as chaplain..... 608
Hemp,
not to be carried on deck or guards of passenger steamers, except, &c..... 227
Henne, Robert,
pension of, increased..... 578
Herndon, Mrs. William L.,
copyright to issue to..... 587
Heth, Ann,
pension to..... 583
Heyl, Lewis,
payment to, for compiling statutes concerning duties on imports, and index to tariff bill..... 461
Hibner, Nicholas,
pension to..... 582
Hides,
of neat cattle, importation of, may be prohibited..... 3
when and how act may be suspended.... 4
penalty for violation..... 4
Highways,
certain roads in the District of Columbia may be declared public..... 45
damages..... 45
Hinshaw, Jacob M.,
minor child of Jacob M. Hinshaw, pension to..... 618
Hinshaw, William A.,
minor child of Jacob M. Hinshaw, pension to..... 618
Hinton, Nancy,
widow of John Hinton, pension to.....631
History of the Navy,
collection of facts to illustrate..... 490
Hodges, Horace I.,
allowance to heirs of, in settlement of his accounts..... 600
Holland, James G.,
credit to be allowed to, in settlement of accounts..... 601
Hoffman, John,
pension to..... 586
Homestead Rights
extended to certain lands in California... 549
Homestead. See *Lands, Public.*
all public lands in Alabama, Arkansas, Florida, Louisiana, and Mississippi, to be disposed of according to law of....66, 67
mode of applying for benefit of the law.. 67
owners of, upon lands heretofore designated as mineral, but on which no valuable mines of gold, &c. have been discovered, may pre-empt the same, or take them as homesteads..... 253
Honolulu,
steamships of the line from San Francisco to Japan and China not required to touch at..... 394
monthly mail steamship service between San Francisco and, Postmaster-General may invite proposals on.....543, 544
See *Mail Steamship Service.*
Hoods,
tax upon..... 474

Hoop-Skirts,
tax upon 474
Hopley, John,
payment to 22
Horne, Henry,
payment to 600
Horse Dealers,
definition of, and special tax on 116
Horses,
duty on those imported alive 48
Horses, Cavalry and Artillery,
appropriation for purchase of 91
Horton, Lewis A.,
pension of, increased 629
Hosea, Mary,
widow of James Hosea, pension to 630
Hospital Furniture and Clothing,
to be placed at the disposal of the authorities of the city of Portland, for the relief of sufferers by the fire 364
Hospital, Government, for the Insane,
appropriations for 20, 316, 464
Hospitals, Marine,
appropriation for, at Cleveland 22
at Chelsea 310
sale of certain authorized 40, 76
Hospitals, Navy,
appropriations for 36, 491
at Washington 325
Hospital Stewards,
at each military post 333
attached to the medical department 335
Hotels, Keepers of,
definition of, and special tax on 117, 118
certain, to pay an additional tax 118
House of Correction for Boys,
act to establish, in District of Columbia .. 232
government vested in seven trustees 232
trustees, how appointed, and term of office 232
to have expenses, but no pay 233
to be a corporation 233
name and powers of 233
duties of trustees 233, 234
superintendent and other officers 233
treasurer, bond, and duties 233
grounds and buildings to be prepared 233
boys of what ages and for what offences to be sentenced to 233
expenses of, while in institution, how paid 234
superintendent to reside at institution, and have charge, &c. of the boys ... 233, 234
to keep a register of the boys admitted 234
to have charge of property, and keep accounts 234
books to be open to inspection of trustees 234
to make contracts for the institution. 234
to give bond 233
annual report to Secretary of Interior 234
expenses of construction, how to be paid. 235
House of Representatives,
appropriation for officers, clerks, &c. and contingent expenses of 24, 25, 192, 193
deficiency appropriation for contingent expenses of, for the year ending June 30, 1866 59
ventilation of bath-room of the 325
duties of clerk of, in preparing for the organization of 397
roll of members elect to be made 397
names of what members to be placed on the roll 397
House of Representatives, (continued.)
if clerk is unable to perform this duty sergeant-at-arms to do it 397
if sergeant-at-arms is unable, doorkeeper to perform it 397
compensation of officers, &c. of 441, 442
contingent expenses of the 442, 443
Howard Institute and Home,
of the District of Columbia, incorporated 69
its powers and objects 69
managers and their powers 69
to be established and maintained by voluntary contributions 70
record thereof to be kept and reported annually 70
Howard University,
in the District of Columbia, act to incorporate 438, 439
general and special provisions of the act of incorporation 438, 439
Hubbard, Gordon S.,
account of, for carrying mail, to be audited and paid 597
Hudnall, James I.,
credit to be allowed to, in settlement of accounts for public money lost 645
Humboldt Canal Company,
right of way granted to, for a canal through the public lands of the United States 64
certain lands may be flowed to create a reservoir for 64
sites for waste-gates, mill-sites, depots, &c. 64
grant to cease, unless, &c. 64
not to interfere with grant to any railroad company 64
Hunter, Commander Charles,
to be restored to his rank in the navy ... 70
Huntington, Dimick B.,
sums found due in settlement of accounts of, as Indian agent, to be paid 570
Hurley, Thomas,
pension to 584
Hyatt, Thaddeus,
patent of, for improvements in vault covers, extended 604
effect of extension 604
Hydrometers. See *Internal Revenue.*
Secretary of Treasury may adopt, for testing spirits subject to tax, &c. 481
Hydrographic Office,
established in Navy Department 69
to be attached to bureau of navigation ... 69
purposes thereof 69
maps and charts to be published and furnished navigators at cost of printing and paper 69
copyrights to be purchased 69
money received from sales of maps, &c. to be returned to treasury and here used. 69

I.

Idaho Land District,
established, provisions concerning 77
to be located at Boise City 77
Idaho Territory,
appropriations for government of 204, 455
to pay for census of 22
for Indian service in 279, 512
post-roads established in 288
land district established in 77
name and location 77

Idaho Territory, (continued.)
register and receiver of land district in.. 77
their duties and pay..... 77
surveyor-general for, authorized..... 77
salary, duties, allowances..... 77
office to be at Boise City..... 77
net proceeds of internal revenue of, for three years, to be applied to erection of penitentiaries in..... 377
limit of amount to be expended.... 377
at what places to be erected..... 377
survey of boundary between, and Oregon 466
salaries of chief justice and associate justices..... 426
judges of Supreme Court of, to define judicial districts, assign judges, and appoint times and places for holding the courts 427
sessions of legislative assembly to be biennial, after, &c..... 427
next election for members of..... 427
term of office of members of house and council..... 427
councillor districts and election of members of council..... 427
Idaho, The Steam Screw Sloop of War,
to be accepted by the Secretary of the Navy and contractor discharged..... 640
Illinois,
post-roads established in 191, 282, 283, 551, 552
Illinois Soldiers' College and Military Academy,
cots and bedding for five hundred persons granted to, for use of free students therein, disabled by the war..... 366
Illuminating Oils,
the mixing of, with naphtha for sale, how punished..... 484
selling, &c. such mixture..... 484
Immigration,
expenses under act to encourage....226, 415
Imprisonment,
persons sentenced to, in the jail in the District of Columbia, may be employed at hard labor..... 407
Imprisonment for Debt,
State laws for discharge from, to apply to process from courts of the United States..... 543
all modifications, conditions, and restrictions of, upon, to apply to such process..... 543
oath of, and notice by, debtor..... 543
all proceedings to be had before commissioners of the circuit court of the United States..... 543
Improvements,
claim of settlers upon certain townships ceded to the Ponca Indians for, to be satisfied by the Poncas.....675, 676
Import Duties,
under treaty with Japan..... 655
Imports. See *Duties*.
persons claiming lien on, to be notified.. 182
not exceeding $100 in value, may be entered without triplicate invoice, if, &c. 182
act imposing duties on certain..... 328
Incidental Expenses
of collectors of customs, when part may be paid..... 186
Income,
returns of, to state whether the rates, &c. are given in coin or currency.....5, 147
if made in coin, to be reduced to currency.....5, 147
duty of assessors in such cases..... 147
Income Tax. See *Internal Revenue*.
to be paid by persons out of the United States and not citizens, on income from business in the United States..... 138
levied May 1, and payable June 30, in each year..... 138
to be levied March 1, and be payable on or before April 30, in each year..... 480
to last until 1870, and no longer.....138, 480
rate of, whence derived, amount exempt 478
to be for the year ending December 31.. 478
in estimating income, what to be included 478
what to be deducted.....478, 479
list or return..... 479
to be verified by oath..... 479
may be increased..... 479
penalty for neglect or refusal to make returns, or making false returns..... 479
not to be assessed until after reasonable notice..... 480
if income tax is paid in another district.. 479
amount of income may be proved..... 479
deductions claimed, not to be allowed until approved by assistant assessor..... 479
appeal from assistant assessor to assessor 479
decision of assessor to be final, unless reversed by commissioner of internal revenue.....479, 480
if not paid when due, five per cent and interest to be added..... 480
of those in the civil, military, or naval service of the United States.....139, 480
rate of tax..... 480
amount of, to be deducted..... 480
pay-rolls, &c. to show such payments 480
accounting officers to require proof that taxes have been deducted and paid over..... 480
payments of prize money to be deemed income..... 480
but not to mechanics or laborers on public works..... 480
this takes effect upon salary and compensation for March, 1867..... 480
Indemnity
for spoliation upon the Poncas, to be paid by the United States..... 676
Independent Treasury,
appropriations for the expenses of the... 202, 452, 453
for assistant treasurers of the United States.....452, 453
for clerks, messengers, and watchmen 452, 453
Indiana,
post-roads established in.....6, 191, 282, 552
Indian Affairs,
appropriations for the office of commissioner of..... 197, 447
extra clerks in office of..... 315
Indian Agents,
in Utah Territory, payment to certain, of sums found due in settlement of their accounts..... 570
appointment of certain sub-Indian agents 515
Indian Annuity Goods,
appropriation to purchase in lieu of those lost by fire on steamer Frank Bates... 208
Indian Bureau,
appropriations for the..... 255, 468
Indian Department,
appropriation for current and contingent expenses of, and for fulfilling treaty stipulations with Indian tribes for the

Indian Department, (continued.)
years ending June 30, 1867 and 1868..255–280, 492–515
superintendents, agents, sale agents, clerks, &c.....255, 256, 492, 493
interpreters, presents, provisions.....256, 492
buildings and repairs.....256, 492
contingencies.....256, 492
treaty stipulations, &c. with the
Apaches.....259, 276, 492, 493
Arapahoes.....271, 276, 493
Arickarees.....493
Assiniaboines.....493
Blackfeet Indians.....208, 273, 508
Bois Fortes.....257, 274, 494
Calapooias.....264, 265, 493, 510
Camanches.....259, 276, 493
Cayuses.....266, 510, 511
Chastas.....256, 493, 494
Cherokee Nation.....279, 499, 513
Cheyennes.....271, 276, 493
Chickasaws.....258, 259, 497
Chippewas..256, 257, 258, 261, 271, 273, 274, 370, 494, 495, 496, 497, 504
Choctaws.....258, 259, 497
Clackamas.....265, 493
Creeks.....259, 272, 320, 498, 499
Dakotas.....273, 274, 508, 509
Delawares.....260, 499, 500
D'Wamish.....266, 500
Flatheads.....269, 500, 501, 514
Fort Laramie.....208, 493
Foxes.....263, 506, 507
Grand Portage.....257, 494
Gros Ventres.....493
Iowas.....260, 501
Kansas.....260, 501
Kickapoos.....260, 501
Kiowas.....259, 276, 493
Kioways.....493
Klamaths.....277, 501
Kootenays.....270, 501
Lac de Flambeau.....257
Lake Winnibagoshish.....258, 273, 496
Lower Brulés.....273, 508, 509
Makahs.....266, 501, 502
Mandams.....493
Medawakantons.....279, 514
Menomonees.....258, 260, 502
Menomones.....494
Miamies.....260, 261, 502, 515
Middle Oregons.....270, 498
Minneconjons.....273, 508
Missourias.....261, 504
Modocs.....277, 501
Molallas.....265, 493
Molels.....270, 502
Navajos.....279, 514
New York Indians.....258, 494
Nez Perces.....267, 269, 503, 504
Nisqually s.....261, 502, 503
O'Gallalas.....274, 508
Omahas.....261–276, 504
Onk-pah-pah.....274, 508
Osages.....261, 504
Ottawas.....270, 370, 504
Ottoes.....261, 504
Pawnees.....262, 278, 505
Pembinas.....271, 497
Pillager Bands.....258, 273, 496
Poncas.....265, 278, 505
Pottawatomies..262, 265, 280, 370, 505, 506
Puyallups.....261, 502, 503

Indian Department, (continued.)
treaty stipulations, &c. with the
Quapaws.....263, 506
Quil-leh-utes.....270, 506, 514, 515
Qui-nai-elts.....270, 506, 514, 515
Red Lake.....271, 496, 497
Rogue Rivers.....263, 506
Sacs.....263, 506, 507
Sans Arcs.....274, 509, 510
Scotons.....256, 493, 494
Seminoles.....263, 319, 507
Senecas.....264, 507, 508
Shawnees.....264, 507, 508
Shoshonees.....272, 508
Sioux.....273, 274, 508, 509, 512
Sissetons.....279, 514
Six Nations.....264, 510
S'Klallams.....270, 510
Snake.....511
Tabeguache Bands.....272, 275, 510
Texas.....278, 513
Two Kettles.....273, 509
Umatillas.....266, 510, 511
Umpquas.....256, 264, 493, 494, 510
Upper Pen d'Oreilles.....270, 501
Upper Yanktonais.....274, 509
Utahs.....272, 275, 510, 513
Wahpakoota.....279, 514
Wahpatons.....279, 514
Walla-Wallas.....266, 510, 511
Wichitas.....278, 513
Winnebagoes.....268, 265, 280, 494, 511
Yakamas.....267, 277, 511
Yanctons.....265, 278, 512, 514
Yanctonais.....274, 509
Indian service in Arizona Territory..279, 512
in California.278, 279, 512, 513
in Colorado Territory 279, 512
in Dakota Territory.. 280, 512
in Idaho Territory....279, 512
in Michigan..... 278, 514
in Minnesota.....278, 514
in Montana Territory.279, 512
in Nevada Territory 279–326, 512
in New Mexico...278, 279, 513
in Oregon....278, 279, 512, 513
in Utah Territory..25, 279, 512
in Washington Territory.. 278, 279, 512, 513
in country leased from Choctaws....278, 513
annuities to Pawnees, Poncas, and Yancton Sioux.....278, 514
vaccination.....278, 514
colonizing, &c. the Wichitas and other affiliated bands.....278, 513
interest on abstracted bonds of Cherokee school and national funds.....279, 514
on non-paying stock held in trust for various Indian tribes.....279, 514
Attorney-General to inquire into condition of all funds held in trust for Indian tribes..... 497
what stocks are non-paying, and the remedy of the United States..... 497
report to Congress..... 497
subsistence of the Sisseton, Wahpaton, Medanakanton, and Wahpakoota bands of Sioux or Dakota Indians.....279, 514
delivery of provisions to Indians within the Utah superintendency.....280, 513
special agents to the Winnebagos and Pottawatomies in Wisconsin.....280, 514
funds held, and appropriations made, for

Indian Department, (continued.)
Indians to be expended only according to law and treaty stipulations..... 280
payment for supplies for destitute Indians of the southern superintendency..... 280
for removal to homes..... 280
full examination to be made before money is expended..... 280
loyal citizens of good moral character may trade with Indian tribes, upon giving bond, &c..... 280
conditions of bond..... 280
existing laws and regulations to apply to such traders..... 280
rescue of prisoners from Indians, and arrest of persons charged with crimes against Indians..... 515
no money or annuity to be paid to any Indian tribe engaged in hostilities against the United States, &c. since, &c. 515
nor until new appropriations are made..... 515
hostilities by any tribe to be reported to Congress..... 515
Indian bureau to report each session, to Congress, tabular statement of separate objects of expenditure..... 515
appointment of Indian sub-agents..... 515
appropriation for Miamies, to whom to be paid..... 515
Indianola,
to be port of entry for district of Saluria, Texas, instead of La Salle..... 308
Indian Regiments,
payment of bounty to certain, provided for 360
Indian Reservations,
appropriations for survey of..... 318
Indians and Indian Tribes. See *Indian Tribes.*
subsistence, clothing, &c. for destitute, within the southern superintendency.. 347
Indian Scouts,
may be enlisted and employed in the Territories and Indian country..... 333
to have pay and allowances of cavalry soldiers..... 333
Indian Sub-Agents,
appointment of those whose salaries are over $1,000 a year..... 515
Indian Territory,
post-roads established in..... 288
Indian Tribes,
provisions as to trust funds of.....279, 280
any loyal citizen of good moral character may trade with, upon giving bonds... 280
conditions of bond..... 280
existing laws and regulations applicable to such traders..... 280
appropriation for negotiation of treaties with certain, of the Upper Missouri and Upper Platte rivers..... 358
how to be expended..... 358
no money or annuity to be paid to any in hostility against the United States, &c., since, &c..... 515
nor until new appropriations are made..... 515
report to Congress of cases of hostilities 515
Attorney-General to report upon condition of funds held by the United States in trust for..... 497
to report what stocks are not paying, the security and remedy of the United States..... 497
interest on non-paying stock held for.... 514

Indian Tribes, (continued.)
rescue of prisoners from, and returning them to their homes..... 515
arrest of persons charged with crimes against the..... 515
India-Rubber Boots and Shoes,
tax upon..... 474
Indorsed Letters
to be returned to writers free..... 60
Industrial Exposition,
at Paris, France, joint resolutions in relation to the.....326, 347
acts of Secretary of State approved..... 347
Secretary of State to make general regulations..... 348
general agent at New York.....347, 362, 363
may appoint clerks, their pay...347, 348
commissioners..... 363
who not to be..... 363
people of the United States invited to take part in..... 363
appropriations for.....362, 363
Infantry,
number of regiments of, in the army, and how organized..... 332
four regiments to be the veteran reserve corps..... 332
four regiments of colored soldiers..... 332
original vacancies in grades of officers, how filled..... 332
veteran reserve corps, how officered.... 332
each regiment to have what officers and men..... 333
Informers,
of violations of provisions of the internal revenue law, one half of fine, &c. for extortion or oppression by certain revenue officers to go to..... 101
for exercising trade, &c. without payment of special tax..... 113
for violating law as to sales, &c..... 134
amount to be paid to, when there has been a judgment..... 145
when payment is made without suit or before judgment..... 146
no right accrues to, until, &c..... 146
when a witness in civil actions for a penalty the other party may be a witness also..... 146
appropriation to pay certain, their share of certain fines, penalties, and forfeitures..... 208
of breaches of customs laws, one fourth of fines, penalties, and forfeitures under seizures to go to..... 546
when officer of revenue cutter is informer, one half of proceeds to go to officers of the cutter, to be divided among them according to their pay.....546, 547
Inland Sea,
opening of port in, by Japan, may be accepted in lieu of payment of money... 665
Insane Asylum
in the District of Columbia, who may be admitted to.....93, 94
Insane, Government Hospital for the,
appropriations for the.....20, 316, 464
finishing, &c. each wing, &c..... 464
salary of superintendent, established.... 464
Inspection. See *Internal Revenue.*
of spirits, Secretary of Treasury may adopt rules, &c. to insure correct and uniform system of..... 481

Inspection Laws,
in regard to steamboats, special examinations to be made from time to time into the administration of..... 229
Inspection of Lights,
appropriations for expenses of..... 458
Inspection of Boilers,
one additional at New York..... 229
Inspector (General) of Spirits,
to inspect and gauge all distilled spirits, and mark barrels and packages..... 481
Inspector of Military Academy,
appropriation for pay of clerk in office of 449
Inspectors,
on board vessels destined for one or more ports in the United States, regulations as to..... 184
under the internal revenue act, penalty upon, for extortion or oppression.... 101
penalty upon, for accepting, &c. any money, &c. for compromising, &c. any charge for violating the law relating to internal taxes..... 483
under internal-revenue laws, to give bonds..... 484
amount, conditions, and how to be approved..... 484
appropriation for salaries and expenses of 445
Inspectors-General,
four of the army, their pay, emoluments, &c..... 334
assistant, their number, pay, &c..... 34
Inspectors of Customs,
increased pay of certain, to continue.... 208
Inspectors of Cotton,
appointment, duties, and pay of..... 101
Inspectors of Distilleries,
appointment and duties of.....155, 160
not to be engaged in other business.... 156
not to be or become interested in the production of distilled spirits..... 168
fees and pay of, and by whom paid..... 156
assistants, appointment, duties, &c. of... 156
law requiring one for each distillery, repealed..... 481
duty of, to be performed by whom...481, 482
Inspectors of Steamboats,
penalty upon, for not making returns as required by law..... 188
appropriations for.....203, 373, 453
bonds of..... 229
penalty upon persons connected with any association of steamboat pilots, engineers, masters, or owners, for attempting to exercise the functions of..... 228
such act to be a misdemeanor..... 228
to forfeit office and pay $500..... 228
clerk in local offices at New York and New Orleans..... 229
stationery, printing, instruments, &c. for 229
annual compensation of local, established for the district of—
Baltimore..... 229
Boston and Charlestown..... 229
Buffalo..... 229
Charleston..... 229
Chicago..... 229
Cincinnati..... 229
Cleveland..... 229
Detroit..... 229
Galena..... 229
Galveston..... 229
Louisville..... 229
Memphis..... 229
Inspectors of Steamboats, (continued.)
annual compensation of local, established for the district of—
Mobile..... 229
Nashville..... 229
New London..... 229
New Orleans..... 229
New York..... 229
Norfolk..... 229
Oswego..... 229
Philadelphia..... 229
Pittsburg..... 229
Portland, (Maine)..... 229
Portland, (Oregon)..... 229
San Francisco..... 229
Savannah..... 229
Saint Louis..... 229
Vermont..... 229
Wheeling..... 229
to investigate more thoroughly the causes of disaster to steam-vessels..... 453
to prosecute for violations of law..... 453
Inspectors of Tobacco,
provisions as to appointment and duties of.....125, 126
fees of, and how paid..... 125
to keep account of stamps delivered to, and sold or used by.....125, 126
to give bonds..... 126
Insurance Agents,
definition of, and special tax on..... 119
Insurance Companies,
tax upon, or license of, agencies of, in Washington, D. C. not to exceed, &c. 433
Insurrection, The,
declared to be at an end in certain States 813, 817
throughout the Union..... 817
Intelligence Office Keepers,
definition of, and special tax on..... 118
Interest,
on abstracted bonds of Cherokee school and national funds..... 279
on non-paying stock held in trust for Indian tribes..... 279
on sums loaned for government purposes by First National Bank at Washington, D. C..... 313
rate of, upon taxes not paid when due, to be one per cent a month.....473, 480
none to be charged for fraction of a month 473
Interior Department,
appropriations for.....20, 197, 198, 374, 468
Internal Revenue,
appointment of assistant assessors, by the Secretary of the Treasury..... 2
act to declare the meaning of parts of... 4, 5
"dividends in scrip" in § 120, to mean what..... 4, 5
"stockholders" in § 122, to mean what.. 5
"all such interest," &c. in § 122, to mean what..... 5
returns of income to be declared to be stated in coin or legal currency.....5, 147
when in coined money, to be reduced to value in currency.....5, 147
appropriations for expenses of administering, except, &c..... 205
accommodations for officers of..... 319
act amending act to provide..... 98
unmanufactured cotton to pay a tax of three cents a pound.....98, 471
weight, how ascertained..... 98
tax a lien..... 98

Internal Revenue, (continued.)
no drawback on unmanufactured cotton, when exported raw ... 98
no tax upon imported, on which imported duty has been paid ... 98
tax, how levied and paid, and proceedings in reference thereto ... 98–101
See *Cotton. p.* 860.
penalty upon inspectors, revenue agents, or special agents for extortion or wilful oppression ... 101
fine, imprisonment, dismissal from office ... 101
one half of fine to the United States, and one half to the informer ... 101
assistant assessors when to notify persons to render annual lists ... 101
persons notified, and neglecting to render lists or render false lists, may be summoned to appear, produce books, &c. ... 101
witnesses may be summoned ... 101
if persons do not reside, &c. in the State, assessor may enter any district where they may be found, &c. ... 102
summons, how served ... 102
certificate of service to be evidence ... 102
description of books ... 102
penalty for neglecting to obey ... 102
attachment, &c. for contempt ... 102
assessors or assistants to enter premises, take views and make up lists ... 102
if false lists, &c. are returned, 100 per cent to be added to tax ... 102
for neglect to render lists, 50 per cent ... 102
further time may be allowed ... 102
amount added, how to be collected ... 102
assessors to advertise, &c. when and where appeals will be received as to erroneous assessments ... 103
to submit proceedings and lists to all who may apply ... 103
appeals may be determined summarily ... 103
not to be allowed after, &c. ... 103
to be in writing, and state what ... 103
witnesses to be summoned and books produced ... 103
assessors may re-examine and rectify assessments ... 103
not to increase them except after notice ... 103
assessors, when to make lists ... 103
lists to contain what ... 103
property of non-residents ... 103
to be sent to collector in ten days ... 104
special lists may be made, within, &c. of property omitted or understated ... 104
the word "duty" in this act to mean tax, 104
pay and commissions of assessors ... 104, 105
limit of salary of ... 104
office rent and clerk hire and accounts thereof ... 104
affidavit of clerk ... 105
chief clerk may administer certain oaths ... 105
pay of assistant assessors ... 105, 473
when employed outside of place of residence ... 105
office rent, stationery, blank books, postage, &c. ... 105, 473
allowance to for office rent discontinued ... 473

Internal Revenue, (continued.)
accounts of assistant assessors, how made and verified ... 105
bids and contracts for supply of stationery ... 105
additional compensation to assessors and assistants in certain districts ... 105
not to exceed the rate of $5,000 a year ... 105
collectors acting as disbursing officers, to be allowed certain bills heretofore paid 105
commissions of assessors and collectors in districts whence and to which cotton, distilled spirits, &c. are sent ... 106, 473
accounts of assessors and collectors, after June 30, 1864, to be adjusted to fiscal year ... 106
if more than one assessor or collector in any year, commissions to be apportioned ... 106
no salaries or commissions to be paid, unless commissioner of internal revenue certifies that all reports, &c. have been received ... 106
collectors to give notice that taxes are payable, and of the time and place of payment ... 106
to notify persons not paying ... 106
fees therefor ... 106
if taxes are not paid in ten days, ten per cent additional to be paid ... 106
notice for taxes not in annual lists, &c. ... 106, 107
when may distrain for taxes ... 107
proceedings in case of distraint ... 107
notice, sale, &c. ... 107
effect of certificate of sale ... 107
tax to be a lien ... 107
levy for taxes ... 107
books containing evidence of property the subject of distraint, to be exhibited to collector on demand ... 107
property distrained may be restored to owner, if, &c. ... 107, 108
if tax is not paid, property to be sold 108
proceeds of sale ... 108
exemptions from distraint and sale ... 108
appraisement of property declared to be exempt ... 108
where property liable to distraint is not divisible, whole to be sold ... 108
proceeds how disposed of ... 108
in sales of property, if amount of tax is not bid, collector may buy for the United States ... 108
such property may be sold ... 108
if there has been no assessment thereon, one to be made ... 108
accounts of charges and expenses in sales or seizures to be made ... 108
real estate, when may be sold for taxes 108, 109
proceedings in cases of such sales ... 109
notice, place of sale, sale ... 109
if it consists of several tracts ... 109
when may be bought for the United States ... 109
adjournment of sale ... 109
certificate of purchase, to set forth what ... 109
deed to be given upon surrender of certificate ... 109
to be prima facie evidence of recitals therein ... 109

Internal Revenue, (continued.)
tax deed of real estate, to convey what.. 109
owner may stop proceedings before sale, by paying tax and costs..... 109
may redeem within one year after sale by, &c..... 109
collector may seize and sell real estate in another district..... 110
records of sales to be kept..... 110
to state what..... 110
to be delivered to successor..... 110
copies to be evidence..... 110
entry to be made therein of the fact, when land is redeemed.. 110
if property seized and sold is not sufficient to pay the tax, other property may from time to time be seized and sold.. 110
the word "county" to mean what in this act..... 110
collectors to be charged with whole amount of taxes in lists, stamps, fines, &c..... 110
to be credited with what..... 110
if collector dies, &c. lists to be delivered to his successor, who shall collect the same..... 110
collectors to collect all taxes, and prosecute for penalties, fines, &c..... 111
taxes, forfeitures and penalties, how sued for and recovered..... 111
suit not to be commenced without authority..... 111
United States not to be subject to costs or attorney's fees, unless, &c. 111
taxes wrongly assessed, &c. may be refunded..... 111
collectors to be repaid amounts of judgments paid by them, and damages and costs recovered against them..... 111
judgments recovered for taxes, &c. to be paid to collector..... 111
in cases of second assessment taxes not to be refunded, unless, &c..... 111
taxable property held to be sold, &c. in fraud of revenue laws, may be seized by collector and forfeited..... 111
raw materials, tools, &c. for manufacture in fraud of the law may be seized and shall be forfeited..... 112
proceedings to enforce forfeiture.... 112
penalty for possessing taxable property with intent to sell in fraud of the law, &c..... 112
goods to be seized and held..... 112
perishable property to be appraised.. 112
may be restored to owner, he giving bond..... 112
bond to be filed with district attorney..... 112
notice of proceedings in court, when and how given to obligors on the bond..... 112
if bond is not given, property to be sold..... 112
proceeds of sale..... 112

SPECIAL TAXES.

persons not to do certain kinds of business until special tax is paid..... 113
persons doing such business to register names, &c. with assistant assessors.... 113
register to state what..... 113
returns to be made to assessors and collectors..... 113

Internal Revenue, (continued.)
special tax to be paid collector who shall give a receipt therefor..... 113
penalty for exercising, &c. any trade without payment of tax.....113, 473
fine and imprisonment.....113, 473
fine to be divided between, &c...113, 473
upon manufacturers of tobacco, snuff, or cigars, and upon dealers in liquors..... 473
definition of dealers in liquors.. 474
receipt for payment of special tax to state what..... 113
payment of, not to exempt from additional tax for doing business in another place, except for lawyers, physicians, &c. 113
no special tax for storage of goods, &c. if no goods, &c. are there kept, except as samples..... 113
persons carrying on a taxable business to exhibit receipt therefor to revenue officer on demand..... 114
if pedler refuses to exhibit receipt, his property may be seized..... 114
summary proceedings thereon.... 114
special taxes when due..... 114
proportional part of tax..... 114
if person who has paid special tax dies, his executor, &c. may carry on business without additional tax..... 114
in case of removal..... 114
cases of death, removal, &c. to be registered..... 114
persons carrying on more than one business in the same place, at the same time, to pay tax for each..... 114
in towns of less than six thousand persons, one tax may cover what classes of business..... 114
auctioneers not to sell goods at private sale nor employ other persons, except, &c.. 114
penalty for so doing..... 115
may sell goods of persons paying special tax on their premises..... 115
who may and who may not do business in partnership and pay but one special tax..... 115
definition of, and special tax on,
apothecaries.....119, 471
architects..... 121
assayers..... 121
auctioneers..... 119
banks and bankers..... 115
billiard rooms and bowling alleys, proprietors of..... 120
brewers..... 117
brokers..... 116
builders and contractors..... 121
butchers.....120, 471
cattle brokers.....116, 117
circuses, proprietors of..... 120
civil engineers..... 121
claim agents..... 118
commercial brokers..... 117
concert halls, proprietors of,..... 120
confectioners.....118, 471
contractors..... 121
conveyancers..... 118
custom-house brokers..... 117
dentists..... 121
distillers..... 117
distillers of apples, grapes, or peaches 117
distillers of coal-oil, burning-fluid and camphene.....117, 565

Internal Revenue, (continued.)
definition of, and special tax on,
eating-houses, keepers of..... 118
engineers, civil..... 121
express carriers and agents..... 121
gas-fitters.....121, 471
gift enterprises, proprietors of..... 120
grinders of coffee or spices..... 122
horse-dealers..... 116
hotels, keepers of.....117, 118
insurance agents..... 119
intelligence-office keepers..... 118
jacks, owners of..... 120
jugglers..... 120
land-warrant brokers..... 116
lawyers..... 121
livery-stable keepers..... 116
lottery-ticket dealers..... 116
manufacturers.....119, 474
miners..... 121
museums, proprietors of..... 120
patent agents..... 118
patent-right dealers..... 118
pawnbrokers..... 116
pedlers.....119, 474
photographers..... 120
physicians..... 121
plumbers..... 121, 471
produce brokers..... 117
real-estate agents..... 118
rectifiers..... 117
retail dealers..... 115
retail dealers in liquors.....116, 474
stallions, owners of..... 120
steamers and vessels..... 118
surgeons..... 121
taverns, keepers of.....117, 118
theatres, proprietors of..... 120
tobacconists..... 120
wholesale dealers..... 115
wholesale dealers in liquors.....116, 474
annual special tax not to be imposed upon apothecaries, confectioners, butchers, keepers of eating-houses, hotels, inns or taverns, or retail dealers, except, &c., unless their annual gross receipts exceed $1,000..... 122
amount of receipts, how determined. 122
no special tax upon certain vintners, apothecaries, physicians, farmers..... 122
payment of special tax not to exempt from penalty under State laws for carrying on such trade, &c., nor authorize a trade, &c. prohibited by State laws; nor prevent a State from imposing an additional tax..... 122

MANUFACTURERS.

persons, firms, and corporations manufacturing, &c. to render an account of full amount of actual sales..... 122
to state quantity consumed or used for another manufacturer..... 122
market value, and whether shipped or consigned..... 122
value, &c. to be estimated by actual sales..... 123
how, when goods are not in the custody of the manufacturers 123
manufacturers of tobacco, snuff, and cigars to make additional statement under oath..... 123
to give bond, and in what sums, for different machines or presses..... 123

Internal Revenue, (continued.)
conditions of bond of manufacturers, &c. 123
may be renewed or changed.... 123
collector to give a certificate stating the kind and number of machines, &c. for which bond is given..... 123
manufacturer to exhibit certificate upon demand of revenue officer.....123, 124
penalty for manufacturing without giving bond..... 124
fine and imprisonment..... 124
assistant assessors to keep record of manufacturers of tobacco, snuff, and cigars in his district open for inspection..... 124
abstract of returns to be entered thereon..... 124
assessor to keep such record for entire district..... 124
tax how assessed, when the tobacco, cigars, &c. are made on shares, or the material is furnished by one party and manufactured by another..... 124
penalty for collusion..... 124
manufacturer to make and deliver to assistant assessor an inventory of the tobacco,-&c. owned by him on the first of January in each year..... 124
inventory to state what and how verified..... 124
accounts to be kept in book form of purchases and sales, &c..... 124
verified abstracts to be furnished the assessor monthly..... 124
penalty for neglect to keep books, &c.... 125
vendors, &c. of tinfoil, &c. used in the manufacture of tobacco, &c. to state amount of sales thereof to certain persons..... 125
proceedings if such statement is not made, or is believed to be fraudulent..... 125
general provisions of law applicable hereto.....125, 474
when tax on tobacco, &c. accrues..... 125
manufactured tobacco, &c. may be transferred to bonded warehouse, without payment of tax, upon giving bonds, &c..... 125
and from one bonded warehouse to another or for export..... 125
regulations for removal of distilled spirits to apply to tobacco, &c. so far as applicable..... .....125, 474
no drawback upon any manufactured tobacco, snuff, or cigars..... 125
tobacco, snuff, and cigars to be inspected..... 125
package to be marked or stamped, and how..... 125
fees of inspector..... 125
penalty for fraudulently making or changing marks..... 125
cigars, how to be packed..... 125
tobacco, snuff, or cigars, passing out of hands of manufacturers, &c. without inspection marks, except, &c. to be forfeited, &c..... 125
account of stamps delivered to and used by inspectors to be kept..... 126
inspectors to give bonds..... 126
penalty for any person, except the manufacturer, parting with the possession of tobacco, &c. on which taxes have not been paid..... 126

Internal Revenue, (continued.)
penalty for receiving tobacco, snuff, &c. under certain circumstances..... 126
for receiving tobacco from a manufacturer who has not paid the tax 126
persons before making cigars to procure a permit..... 126
fee for permit..... 126
before making cigars in a district where they do not reside, to have their permit indorsed..... 126
assistant assessor to furnish or indorse permit..... 126
record of permits to be kept, and to state what..... 126
makers of cigars to keep account and give a copy thereof to assistant assessor each month..... 126
penalty for making cigars without a permit..... 126
for failing to make returns, or making false ones..... 126, 127
persons having permit, upon request, may have cigars counted, &c. and may deliver them in bulk to purchaser without payment of tax..... 127
purchaser to do what..... 127
to pay taxes..... 127
penalty upon purchaser for neglect..... 127
for employing person without permit to make cigars..... 127
for making cigars without a permit. 127
cigars to be forfeited and sold..... 127
proceeds, how distributed..... 127
all manufacturers, except, &c. where the product does not exceed the rate of one thousand dollars per annum, to be exempt from tax..... 127
tax, when the product exceeds that rate, but is not over three thousand dollars 127
in all other cases..... 127
to be on salable value of such articles, &c. when removed for consumption or use..... 127
naphtha exempt, except, &c..... 127
taxes on certain manufacturers, unless otherwise provided for...128–133, 474, 475
candles..... 128
illuminating gas..... 128
rate how determined..... 128
when tax may be charged to consumers..... 128, 474
rate when companies compete..... 128
coal tar, &c. exempt..... 128
illuminating, lubricating, or other mineral oils.....128, 129
what to be deemed refined illuminating oil..... 128
who to be deemed manufacturers of. 128
oil, naphtha, benzine, benzoline, or gasoline..... 129
distillers, &c. of mineral oil to be subject to all laws relating to distillers of spirits, so far as deemed necessary by the commissioner... 129
certain distillers not to make returns oftener than once in thirty days.. 129
spirits of turpentine..... 129
coffee, ground spices, and dry mustard, and all substitutes therefor..... 129
exemption of one thousand dollars in annual value of product not to apply hereto..... 129
molasses..... 129

Internal Revenue, (continued.)
sugar-cane juice, sirup of molasses and sugars, not from sorghum or imphee.. 129, 474
gross amounts of sales of sugar refiners.. 129
who are sugar refiners.....129, 474
sugar candy and confectionery.....129, 130
chocolate and cocoa..... 130
gun cotton..... 130
gunpowder and all explosive substances. 130, 474
varnish or japan..... 130
glue and gelatine, and cement..... 130
pins..... 130
photographs, ambrotypes, daguerreotypes, or other pictures taken by action of light..... 130
wood screws.....130, 474
clocks and time-pieces..... 130
soaps..... 130
uncompounded chemical productions.... 130
essential oils..... 130
furniture and other articles of wood..... 130
when tax is only on increased value 130
salt..... 130
scales, pumps, garden engines, and hydraulic rams..... 130
tin-ware not otherwise provided for..... 130
iron advanced beyond muck-bar, &c..... 138
ton, for purpose of this act, to be 2,000 lbs. 130
band, hoop, and sheet iron..... 130
when from iron on which tax has been paid..... 130
steel..... 131
stoves and hollow ware..... 131
tubes made of wrought iron..... 131
steam locomotive and marine engines... 131
tax paid on materials to be deducted 131
boilers, tanks, stills, tools, machines, shafting and gearing..... 131
iron railings, gates, fences, furniture, and statuary..... 131
copper and brass tubes, nails, sheet-lead, lead pipe, and shot..... 131
goat, calf, sheep, horse, hog, and dog skins.....131, 474
tax when only on the increased value 131
patent, enamelled, and japaned leather and skins..... 131
when a tax has been paid on leather in the rough, the tax to be only on the increased value..... 131
oil-dressed leather..... 131
leather of all descriptions.....131, 474
wines, not made from grapes, currants, rhubarb, or berries..... 131
returns, assessment, collection, &c. of this tax..... 131
penalty for knowingly selling such wine when the tax has not been paid 131
cloth and textile, knitted, or felted fabrics 131, 475
thread and twine..... 131
clothing, hats, bonnets, hoop-skirts, parts of clothing.....131, 132
of india-rubber, gutta-percha, fur, fur skins.....132, 474
boots, shoes, and shoe-strings 132, 474
certain boot, &c. makers exempt.....132
clothing, gloves, mittens, caps, felt hats, and articles of dress.....132, 474
certain custom work not to be taxed 132
certain work not to be deemed a manufacture..... 132

Internal Revenue, (continued.)
tax on manufactures of paper..... 132
manufactures of cotton, wool, silk, &c. not otherwise provided for..... 132
when tax is only on increased value 132
brown earthen and common stone ware.. 132
diamonds, precious stones, and imitations thereof, and jewelry..... 132
when imported and reset, tax to be only on value of settings..... 132
bullion 132, 133
product of assay to be stamped.... 132
sales, transfers, &c. of gold or silver assayed, unlawful unless stamped..... 133
gold and silver in natural state not to be exported or used without being stamped..... 133
reworking of old, not included..... 133
snuff, of all descriptions..... 133
manufactured tobacco..... 133
fine-cut chewing tobacco..... 133
tobacco twisted by hand, and fine cut shorts..... 133
smoking tobacco and imitations..... 133
cheroots, cigarettes, and cigars.....133, 474
rules for inspection of..... 133
manufacturer to be examined on oath in reference to his interest therein..... 133
auction sales, tax on, to be paid monthly 133, 134
no tax on certain..... 134
sales and contracts for sale by brokers banks, or bankers, of stocks, bonds, notes, bullion, and coin..... 134
by those not paying special tax, or brokers, banks, or bankers..... 134
memorandum of sale, or contract by seller to buyer 134
to be stamped with proper stamps..... 134
to show date, name of seller, and amount and subject of sale or contract 134
fractional part of $100, to be treated as $100..... 134
penalty for selling, &c. or delivering or receiving stocks, &c. without a memorandum 134
for delivering or receiving a memorandum without stamps..... 134
suit may be brought for, within one year 134
amount recovered, how distributed.. 134
not to be incurred where there was no intent to evade the law..... 134
law in relation to stamp duties in Schedule B to apply to these stamp taxes..... 134
sales by commercial brokers.....134, 135
tax to be paid monthly..... 134
in estimating amount, sales by or through another broker not to be included 135
Schedule A..... 135
annual tax on carriages, gold watches, billiard tables, gold or silver plate.... 135
exemption of certain silver plate.... 135
tax on gross receipts from passengers and mails, by railroads, steamboats, coaches, &c. 135
not to be assessed for transportation between the United States and foreign parts..... 135
to be assessed for transportation from a port within the United States through foreign territory to a port within the United States 135
how assessed and collected..... 135
tax on gross receipts of toll roads, ferries, and bridges, exceeding $1,000 per annum 136, 475, 485
may be added to fare, &c. until April 1, 1867.....136, 475
not to be assessed where gross receipts for twelve months do not exceed needful repairs..... 136
where the addition is the fraction of a cent..... 136
tickets to be sold, in packages of twenty..... 136
boats, &c. not used for passengers, and not propelled by steam, &c. and used exclusively for carrying coal, or agricultural products, &c. to market, to pay an annual special tax..... 136
tax on gross receipts of telegraph lines.. 136
on average amount of deposits subject to draft..... 136
on capital employed in banking.... 136
on circulation..... 136
circulation to include what..... 136
additional, on average circulation above ninety per cent of capital.. 136
return of circulation, deposits, and capital to be made on oath monthly..... 136
penalty for neglect or refusal to make 136
in default of, amount to be estimated 136
tax, how assessed on banks with branches 136
not to apply to national banks..... 136
savings banks to be exempt from tax on so much of their deposits as is invested in United States securities..... 137
deposits of less than $500 in the name of any one person exempt.. 137
returns to be made when..... 137
lottery-ticket dealers to pay monthly tax of five per cent on gross amount of receipts 137
tax on gross receipts of advertisements in any book..... 137
persons out of the United States, and not citizens, to pay tax on income from business in the United States.....138, 478
income tax, when due and payable..... 138
ten per cent additional if not paid when due..... 138
to last until 1870 and no longer..138, 480
tax on dividends of banks, trust companies, savings institutions, and insurance companies 138
on additions to surplus or contingent funds 138
amount of to be withheld from all payments on account of such dividends 138
return and payment, when to be made 138
penalty, &c. in case of default..... 138
tax on dividends on life insurance companies, when due..... 138
what not to be considered as dividends of, or of savings banks.... 138
tax on dividends and interest on bonds of railroad, canal, turnpike, navigation, and slackwater companies.....138, 139

Internal Revenue, (continued.)
to be withheld from payments..... 139
when such companies are unable to pay, and fail to pay interest on their debt, tax not to be paid until, &c..... 139
tax on incomes of those in the civil, military, or naval service of the United States..... 139, 480
amount to be deducted.....139, 480
certificate to be made and sent to commissioner.....139, 480
pay roll to show such payments...139, 480
auditors to require proof of such payments.....140, 480
payments of prize money to be deemed income.....140, 480
payments to mechanics or laborers upon public works not to be deemed income.....140, 480
legacy to minor child, unless over $1,000, to be exempt from taxation..... 140
if over $1,000, excess only to be taxed..... 140
when tax on is due..... 140
executors, &c. to give notice to assessors..... 140
trustees to notify assessor of trust estates 140
successions to real estate to be notified to assessors.....140, 141
penalty for wilful neglect in..... 141
instruments, &c. required to be stamped, not to be recorded unless stamped, &c. 141
if recorded, record void..... 141
official instruments and papers, by officers of the United States, or of any State, city, county, or town, exempt from tax 141
penalty for forging or counterfeiting any stamp or die..... 141
any stamp on any paper, or stamping with forged stamp..... 142
for knowingly uttering or selling paper with forged stamp..... 142
for knowingly using or permitting the use of a forged stamp..... 142
for fraudulently removing stamp, or impression of stamp from paper.. 142
for fraudulently using stamp cut from other paper required to be stamped..... 142
for wilfully removing or altering the cancelling of a stamp..... 142
for knowingly buying, or selling, or having in possession marked stamps..... 142
persons making, issuing, receiving, or paying any instrument or note required to be stamped, without stamp thereon, duly cancelled, to forfeit $ 50, and the note, &c. to be void..... 142
title of purchaser of land by deed, duly stamped, not affected by want of stamp on any deed to any person, by, from, or through whom his grantor derives title..... 143
stamps, if not on instrument as made, when and how may be placed thereon afterwards..... 143
may be placed on copy, if original is lost..... 143
if instrument was made, where and when there was no collection district, stamp may be affixed before January 1, 1867..... 143
Internal Revenue, (continued.)
intervening bonâ fide rights not affected..... 143
papers required to be stamped, not to be admitted in evidence unless stamped.. 143
documents made in a foreign country for use here, to pay same tax as though made here..... 144
party using to affix stamp before using..... 144
Schedule B.....144, 475
tax on weighers' returns..... 144
receipts..... 144
where there are several signatures to the same paper..... 144
money to include drafts, &c. given for the payment of money..... 144
assignments or transfers of mortgages.....144, 145
domestic and inland bills of lading.. 145
memorandum of sale of stocks, &c.. 145
Schedule C.....144, 145
drugs, medicines, cosmetics, perfumery, &c. penalty for making, selling, or removing without affixing proper stamp. 144
persons offering for sale any article mentioned in Schedule C, to be deemed the manufacturers..... 144
such articles, if imported, to pay stamp tax..... 144
tax on cigar lights, wax tapers, &c..... 145
playing-cards..... 145
preserved meats, fish, vegetables, &c..... 145
no claim for drawback on articles exported prior to June 30, 1864, unless presented within three months after this act takes effect..... 145
collectors to prosecute for fines, penalties, and forfeitures..... 145
where suits may be brought..... 145
what amount to be paid informer when there has been a judgment..... 145
when payment is made without suit or before judgment..... 146
no right accrues to informer, until, &c..... 146
remission of fines, power of Secretary of Treasury over, not affected..... 146
commissioner may compromise cases, whether pending or not..... 146
what courts to have jurisdiction under this act..... 146
in civil actions for penalties, &c., if informer is a witness, the other party may also be..... 146
penalty for receiving money under threat of informing or not informing..... 146
circulation of State banks after August 1, 1866, to pay tax of ten per cent..... 146
capital of State banks ceasing to exist to be the capital as it was when bank ceased to exist..... 146
circulation of, not over five per cent of capital of bank, exempt from tax..... 146
banks ceasing to issue circulating notes to be exempt..... 147
national banks made from State banks, and assuming their liabilities, to make returns and pay tax on circulation o. over five per cent of capital..... 147
persons making lists for taxation, to declare whether values are stated in legal tender or coined money..... 147

Internal Revenue, (continued.)
if lists are not made, assistant assessor to make lists and add penalties..... 147
if values are stated in coined money assessor to reduce it to legal tender... 147
value of lists sent by assessors to collectors, to be in legal tender..... 147
articles and products exempt from taxation.....147, 150, 476
exemptions to be confined exclusively to the articles in the state and condition enumerated, and not in any other form, nor to manufactures from said articles..... 150
when lists or returns are to be made monthly, they shall be made on or before the tenth of the month..... 150
if to be made quarterly, returns when to be made..... 150
tax to be payable on or before the last of the month..... 150
if not paid, notice to be given, and ten per cent additional..... 150
if these not paid in ten days, collection to be made by distraint, &c.....150, 151
certain apothecaries not to be regarded as manufacturers..... 151
others to be regarded as manufacturers..... 151
stamp tax not to be imposed upon any uncompounded medicinal drug or chemical, nor upon certain medicines compounded..... 151
no patent or proprietary medicine exempted from tax..... 151
removing or concealing, &c. any goods liable to tax, or any materials, &c. with intend to defraud as to such tax, to work forfeiture thereof..... 151
in cases of forfeiture of goods, the packages, vessels, carriages, and horses used, &c. to be forfeited.... 151
penalty for such removal, &c....151, 152
search-warrants to detect frauds upon the revenue, how, and by whom issued..... 152
penalty for selling, &c. or receiving, &c. any box, cover, &c. marked to show that its contents have been inspected, such boxes, &c. being empty, or having other contents than when marked..... 152
for making or marking any such box, cover, &c. with intend to defraud..... 152
articles requiring marks or stamps, &c. sold upon distraint without marks, to be stamped and marked by the officer selling, upon sale thereof..... 152
manual-labor schools and colleges, not to pay a manufacturer's tax, while, &c.....152, 475
no suit to be brought to recover tax wrongfully collected, until after appeal to commissioner and his decision thereon..... 152
suit to be brought within what time. 152
no suit to be maintained to restrain the assessment or collection of any tax..... 475
in ports where there is more than one collector of internal revenue, one may be designated to attend to exportation of articles subject to tax..... 153

Internal Revenue, (continued.)
superintendent of exportation and drawback at such ports as the Secretary of the Treasury shall deem necessary.... 153
pay of such superintendents..... 153
books, papers, &c. in bureau of drawback in several ports, to be delivered to collector of internal revenue, who may administer oaths and certify papers..... 153
who to be deemed distillers, and what presumptive evidence thereof.....153, 481
who to be regarded as rectifiers..... 153
penalty for doing business as a distiller or rectifier without having paid the special tax..... 153
liquors, materials, vessels, stills, &c. to be forfeited..... 153
distillers and rectifiers to give notice in writing to the assessor..... 153
notice to state what.....153, 154
to be given of certain changes, and within what time..... 154
to give bond conditioned that, &c. 154
penal sum..... 154
when collector may refuse to approve bond..... 154
appeal to commissioner whose decision to be final..... 154
new bond may be required..... 154
penalty for failing to give notice or bond..... 154
stills, boilers, &c. not to be used for the purpose of distilling in certain buildings..... 154
penalty for such use..... 154
manufacturers of stills, &c. before their removal to notify the collector where the still is to be sent..... 154
stills, &c. not to be set up without written permit of collector..... 154
penalty for so doing or for failing to give notice..... 154
saleratus may be manufactured in buildings where spirits are distilled..... 154
boilers used in generating steam or heating water may be located where..... 154
rectifiers and wholesale dealers in distilled spirits to make daily certain entries in books.....154, 155
penalty for not so doing..... 155
rectifiers to mark name and place of business on certain packages..... 155
warehouse for storage of bonded spirits of their own manufacture to be provided for owners of distilleries..... 155
when may be declared a bonded warehouse..... 155
how to be used and kept..... 155
tax on spirits stored therein to be paid before removal..... 155
owners of, to execute a general bond 155
penal sum, form, and conditions..... 155
shall be changed or renewed... 155
general bonded warehouse for storage, &c. may be established..... 155
storekeepers, their pay, and by whom paid..... 155
articles manufactured in a bonded warehouse in the Atlantic States may be removed therefrom for transportation to a customs bonded warehouse on the Pacific coast..... 155

Internal Revenue, (continued.)
regulations therefor, bonds, &c. 155
an inspector to be appointed for every distillery 155
oath and duties of.....155, 156
this part of the law repealed... 481
bonded warehouses to be in joint custody of inspector and owner..... 156
entry for spirits placed in such warehouse to be made by owners..... 156
certificate of inspector to be indorsed thereon 156
entry and certificate to be filed with the collector..... 156
inspector not to be engaged in other business 156
pay of to be assessed on distiller... 156
fees for inspection to be paid by distiller or owner..... 156
assistant inspector, when may be appointed 156
necessity of appointment of, to be determined by collector..... 156
duties and pay of..... 156
in absence of inspector and assistant, collector may designate suitable person to take charge of distillery and warehouse..... 156
penalty for using, &c. materials for making spirits, for distilling or removing spirits in absence of acting inspector or assistant without permission of collector..... 156
for removing spirituous, &c. liquors under wrong brand..... 156
general inspectors of spirits to be appointed 156
their fees to be paid by the owner of the spirits..... 156
penalty on owners, agents, &c. of distillery or bonded warehouse for refusing to admit an inspector on their premises, or obstructing him in the discharge of his duty 157
persons making or distilling spirits, or owning or controlling or using stills, &c. to make entries daily in a book of materials used, spirits distilled, &c..... 157
to render under oath duplicate accounts to assessors tri-monthly... 157
entries, how to be verified..... 157
if entries in books are not made by owner, what certificate is to be made by him 157
books and premises to be always open to inspection of revenue officers..... 157
penalty for violation hereof..... 157
tax of $2 per gallon to be paid, and by whom, on all distilled spirits.....157, 480
to be a lien on spirits, distillery, stills, &c.....157, 480
to be collected at no lower rate than the tax is of first proof.....157, 481
proof spirits to be what.....157, 481
instruments for weighing, gauging, and testing spirits.....157, 158, 481
"gallon" to be gallon of first proof..158, 481
two or more receiving cisterns, of certain capacity, to be provided by the owner of each distillery..... 158
their capacity, and how to be constructed and located..... 158
to be under the lock and seal of the inspector..... 158

Internal Revenue, (continued.)
locks and seals of receiving cisterns, to be provided, by whom and how..... 158
spirits conveyed to such cisterns to be drawn off and inspected when.. 158
penalty for knowingly using any false measures or weights for measuring, &c. grain or other materials for making spirits 158
for making false records..... 158
for tampering with locks or seals... 158
for using any substances for producing spirits before an account of them is registered..... 158
tax on wines, &c. made in imitation of champagne, and put up in bottles 158, 159
to be paid by whom.....158, 159
returns, assessments, &c. thereof.... 159
penalty for knowingly, &c. selling such wine on which the tax has not been paid..... 159
owners, &c. of distilleries to give all assistance for inspecting their premises.. 159
distilled spirits to be inspected, gauged, and proved, before removal to bonded warehouses 159
to be drawn into casks, &c..... 159
casks, &c. how branded and numbered.....159, 481
no cask to be taken from warehouse until branded, &c.....159, 481
inspectors to make prompt returns of inspections by him..... 159
penalty for evading or attempting to evade payment of tax 159
for putting into casks spirits of greater strength..... 159
penalty upon inspector for conspiring to defraud the United States of the tax.. 159
for making false entries or returns.. 159
for placing false marks upon casks.. 159
penalty for using casks, &c. to sell spirits of a quantity or of a quality different from that inspected..... 159
for knowingly purchasing or selling casks with inspection marks thereon after they have been used, &c.. 160
for fraudulently omitting to obliterate inspector's marks..... 160
for fraudulently using any inspector's brands, &c..... 160
or making or using counterfeit brands..... 160
penalty upon inspector for negligent or improper use of his brands or plates.. 160
for employing any servant, &c. of the distiller to do his duty..... 160
penalty for adding ingredients to spirits to create a fictitious proof before tax is paid 160
distilled spirits, when inspected, &c. may be removed before tax is paid from bonded warehouse of distiller to any general bonded warehouse..... 160
transportation bonds therefor..... 160
to be first how branded..... 160
to be again inspected and placed in bonded warehouse..... 160
tax to be paid on what amount..... 160
what allowance for loss, &c..... 160
spirits to be subject to regulations..... 160
to be in charge of storekeeper..... 160
fees for execution of papers to be same as those at the custom-house..... 161

Internal Revenue, (continued.)
expenses of labor, transportation, &c. to be borne by owner..... 161
distilled spirits how may be withdrawn from bonded warehouse..... 161
may be removed for exportation, rectification, &c..... 161
but only once for the same spirits..... 161
spirits removed to be returned..... 161
tax to be paid on a deficiency beyond three per cent..... 161
no drawback upon distilled spirits upon which tax has been paid..... 161
spirits may be removed from bonded warehouse for exportation..... 161
proceedings in such case..... 161
bond, and when it may be cancelled..... 161
where there is no superintendent of exports, collector to act as such.....161, 162
penalty for making any false document, &c. to evade the payment of tax, or in fraud of the internal revenue laws.... 162
owners of spirits intended for sale, manufactured before this act takes effect, to notify collector to gauge and prove them..... 162
to be gauged only in casks, &c..... 162
casks, &c. how to be marked..... 162
penalty for not notifying collector..... 162
spirits on which tax is paid not to remain on distiller's premises..... 162
absence of inspector's brand to be cause for forfeiture..... 162
changing the character of spirits after inspection, &c. and placing them in other packages without, &c. to work forfeiture of spirits.....162, 475
branding packages of spirits, knowing that the taxes have not been paid, how punished.....163, 475
forfeited stills, implements, &c. and condemned material to be sold at public auction.....163, 483
forfeited liquors, how disposed of..... 163
distillers of brandy from grapes, apples, or peaches may be exempted from this act..... 163
the word "person" in the act to include firms, corporations, &c..... 163
penalty for removing spirits from places where distilled except to a bonded warehouse..... 163
spirits so removed when tax is not paid to be forfeited..... 163
may be seized and sold..... 163
proceedings in case of seizure..... 163
burden of proof on claimants to show that the law has been complied with..... 163
aiding in the unlawful removal of distilled spirits, how punished..... 163
brewers before commencing business to give notice to assessors..... 163
notice to state what.....163, 164
to give bond, amount, conditions... 164
bond to be renewed annually..... 164
tax on beer, lager beer, ale, porter, and similar fermented liquors..... 164
$1 for barrel of not over 31 gallons..... 164
fractional parts of a barrel, and how accounted.....164, 475, 476

Internal Revenue, (continued.)
brewers, &c. manufacturing beer, &c. to make from day to day entries in a book of kind and quantity of liquors made, and of those sold..... 164
to enter in a separate book an account of material purchased..... 164
to render monthly statement to assessor under oath..... 164
to send duplicate of statement to collector..... 165
books to be open to the inspection of revenue officers..... 165
entries in books to be verified monthly upon oath..... 165
form of oath..... 165
form of oath for owner, if original entries are not made by him..... 165
penalty for evading or attempting to evade payment of tax..... 165
for fraudulently neglecting, &c. to make entry and report..... 165
for intentionally making a false entry..... 165
for neglecting to keep books or furnish accounts, or for not permitting books to be examined..... 165
stamps to be prepared, denoting amount of tax to be paid on barrels, &c..... 165
to be furnished to collectors, who shall keep a two months' supply on hand..... 165
to be sold only to brewers..... 165
account to be kept of stamps sold..... 165
deduction on sales to brewers..... 165
commissions of collectors and assessors on such sales of stamps..... 166
brewers to obtain stamps from collectors and affix proper one on tap of each barrel..... 166
mode of affixing stamps..... 166
of cancellation..... 166
penalty for not affixing or cancelling stamps, or for affixing fraudulent ones 166
for selling, purchasing, or receiving liquor in any vessel from a brewery, &c. without a stamp, or with a false stamp..... 166
for withdrawing such liquor from the vessel without defacing the stamp, or from a vessel not stamped..... 166
for making or selling, or using false stamps or dies..... 166
brewers selling at retail from brewers, to affix and cancel proper stamps..... 166
to keep an account of quantity sold. 166
to report monthly to assessor, and send duplicate to collector..... 166
may remove certain malt liquors in certain quantities from brewery to warehouse without stamps..... 166
stamps to be affixed when liquor is sold or removed..... 166
when and how ale or porter may be removed from district where manufactured to warehouse in another district without having stamps affixed..... 167
fermented liquors, sour, and unfit for use, may be sold for manufacturing purposes, &c. without stamps..... 167
every barrel, &c. of fermented liquor to be marked before it is sold or removed from brewery..... 167

Internal Revenue, (continued.)
penalty for purposely removing or defacing such marks ... 167
if any person other than owner or purchaser intentionally removes or defaces stamp on any barrel, &c. 167
possession of fermented liquor, after removal from warehouse, on which tax is not paid, to be cause of forfeiture .. 167
absence of stamps on barrel, &c. to be notice that tax is not paid ... 167
withdrawing fermented liquor for bottling from any vessel not stamped, or bottling fermented liquor in the place where it is made, &c. how punished ... 167
inspectors or revenue agents not to be interested in the manufacture of tobacco, snuff, or cigars ... 167, 168
assessors, collectors, inspectors, or revenue agents not to be interested in the production of distilled spirits or fermented liquors ... 168
penalty for so doing ... 168
internal revenue officers, paid by fees, &c. to make statement under oath of entire amount of fees of all kinds and from all sources ... 168
penalty for knowingly making a false statement ... 168
for neglecting to make statement when required ... 168
that part of act relating to distilled spirits and fermented liquors to take effect Sept. 1, 1866 ... 168
penalty for giving or offering, &c. any bribe, or present, &c. to any United States officer or official, with intent to influence his action on anything before him, or to cause him to commit any fraud upon the revenue ... 168
or for receiving or accepting the same ... 168
fine, imprisonment, disqualification for office ... 168, 169
proceedings in cases of seizure of goods as subject to forfeiture ... 169
collector to prepare a list of the property in duplicate ... 169
appraisement and pay of appraisers 169
if goods are found to be of the value of $300 or less, collector to publish notice 169
notice to state what ... 169
claimants of the goods may file claim and execute bond ... 169
conditions of bond ... 169
bond and duplicate list to be sent to the United States district attorney, who shall proceed thereon .. 169
if there is no claim and no bond, collector to give ten days' notice of sale of goods ... 168
sale at public auction, and proceeds of sale ... 169
within year of sale application may be made for remission of forfeiture and restoration of proceeds of sale ... 169
applicant to prove what ... 169
if no application is made within one year, proceeds of sale to be distributed ... 170
reorganization of office of commissioner of internal revenue ... 170
commissioner and three deputy commissioners ... 170
one solicitor, seven heads of divisions ... 170

Internal Revenue, (continued.)
clerks, female clerks, messengers, and laborers ... 170
official communications by mail between certain internal revenue officers to be free of postage ... 170
special commissioner of the revenue, appointment of authorized ... 170
term of office, duties, powers, and salary ... 170, 171
in any suits against revenue officers or persons acting under them, &c. and affecting the validity of this act, &c. defendants may remove the suit to the United States Circuit Court at any time before trial ... 171
proceedings for removal ... 171
petition to the circuit court or to the clerk ... 171
clerk to issue process to State court ... 171
state court to stay proceedings, and further acts therein void ... 171
if defendant is in custody, marshal to take the body ... 171
attachments, bail, &c. to continue ... 171, 172
if copy of proceedings in State court cannot be had, circuit court may compel plaintiff to proceed anew or become nonsuit with costs to defendant ... 172
act of 1833, ch. 57, not to apply to cases arising under internal revenue laws ... 172
revenue officers, or any person acting under them, suffering injuries for acts done under the law, may sue for damages in the United States circuit court 172
property in custody of revenue officer to be irrepleviable ... 172
rescue thereof, how punished ... 172
repeal of § 50 of act of 1864, ch. 173 ... 172
cases removed from State courts to courts of the United States to be remanded, unless, &c ... 172
in all cases that have been removed, attachments, bail, &c. to remain in force 172
in writs of error in criminal cases to the Supreme Court of the United States, the defendant is not to be released until, &c ... 173
if offence is not bailable ... 173
writs of error in criminal cases to have certain precedence on the docket of the Supreme Court ... 173
when act takes effect ... 173
repeal of inconsistent laws ... 173
former laws continued in force for certain purposes ... 173
certain duties under existing laws to continue ... 173
manufactures, &c. in possession of manufacturers when this act takes effect, on which duty has not been paid, or was not imposed, to be deemed to have been manufactured after such date ... 173
commissioner may make regulations and prescribe forms and proceedings ... 173
the tax-law to be published in certain German newspapers ... 173
appropriation for carrying into effect the several acts providing, except, &c. ... 445
act of March 2, 1867, amending existing laws relating to ... 471
acts now required to be done in May and June, to be done hereafter in March and April ... 471

Internal Revenue. (continued.)
cotton, tax on, after Sept. 1, 1867, to be two and a half cents a pound on that produced within the United States.... 471
district attorney to report concerning suits under internal revenue laws to commissioner of internal revenue..... 472
to report to commissioner upon institution of every suit..... 472
commissioner to make rules for revenue officers, marshals, and district attorneys, respecting suits..... 472
to have charge of all real estate conveyed to the United States under internal revenue laws..... 472
and of all trusts created in payment of debts due, &c..... 472
may sell the real estate at public auction, with approval of Secretary of Treasury..... 472
may release to debtor land taken, upon payment of debt and interest 472
additional penalty upon manufacturer for selling, &c. without a stamp, articles required to be stamped..... 472
proceedings for the collection thereof 472
commissioner may designate any assistant assessor to make assessments upon specified objects of taxation..... 472
other assistant assessors to report to such assessor..... 472
such assistant assessor may act in any districts in same county..... 472
assessments to be returned to the district where they are payable 473
commissioner may pay sums for detection and trial of persons violating internal revenue laws, &c..... 473
appropriation therefor..... 473
penalty for neglect or failure to pay tax as required, to be five per cent, and interest at one per cent a month..... 473
no interest for fractions of a month 473
amendments to former laws..... 473
vacancies in office of collector..... 473
manufacturers of butter and cheese not to pay special tax..... 474
venders of vegetables, fruits, &c. not to be deemed pedlers..... 474
forfeiture of tobacco, snuff, and cigars... 474
tax on gas may be charged to consumers 474
tax on sugars and refined sugars..... 474
sugar-refiners, who to be deemed..... 474
tax upon wood screws..... 474
gunpowder and other powder..... 474
cigarettes, cigars, and cheroots..... 474
tax in lieu of present tax upon
India-rubber boots and shoes..... 474
hats, caps, bonnets, and hoods..... 474
leather and skins..... 474
manufactures of glass, except window glass..... 475
of wool..... 475
no tax upon the redyeing or reprinting of cloths..... 475
certain exemptions from tax..... 475
tax on gross receipts of toll roads, ferries, and bridges..... 475
schedule B. amended..... 475
legal documents, writs, &c. exempt..... 475
tax on manifests not to apply, &c..... 475
affidavits exempt..... 475
no stamp for probate of will, unless value of estate exceeds $1,000..... 475

Internal Revenue, (continued.)
nor on papers for collecting soldiers' claims on government for pay, pensions, &c..... 475
amendments to act of 1866, ch. 184..... 475
distilled spirits, mineral oil, tobacco, snuff, and cigars, manufactured in institutions for blind, &c. or in manual-labor schools, not exempt from tax..... 475
monuments of stone not exempt..... 475
certain penalties for changing the character of spirits after they are in packages duly inspected and marked, and for branding packages, knowing taxes are not paid, stricken out..... 475
fractional parts of a barrel and how accounted..... 475, 476
additional articles and products exempted from internal tax..... 476, 477
exemption confined to the articles and products in what condition..... 477
tax on brandy from grapes..... 477
penalty for making, selling, &c. as brandy from grapes, any fluid not really such. 477
simulated fluid to be forfeited..... 477
amendments to act of 1864, ch. 173, as amended..... 477
income tax, rate, &c..... 477, 478
amount exempt..... 478
to be for year ending December 31.. 478
in estimating income, what to be included 478
what to be deducted..... 478, 479
list or return of income..... 479
must be verified by oath..... 479
may be increased..... 479
if none is made, or it is made falsely, assessor to make list and add fifty per cent for wilful neglect..... 479
and one hundred per cent for false list..... 479
not to be assessed until after notice.. 480
income tax paid in another district..... 479
if tax has been increased, actual amount may be proved..... 479
appeal from decision of assessor..... 479
income tax when to be levied and when due in any year..... 480
when for the year 1866..... 480
to last until 1870, and no longer.... 480
if not paid when due, five per cent and interest to be added..... 480
tax on distilled spirits..... 480
where to be assessed and how collected, if spirits are removed from place of distillation and not deposited in a bonded warehouse..... 481
Secretary of Treasury may adopt meters, &c..... 481
owners of distilleries to use meters, &c... 481
changes of, or additions to, distilling apparatus to be made..... 481
distiller, who to be deemed, and what to be presumptive evidence thereof..... 481
distilled spirits to be inspected and gauged before removal from distillery..... 481
barrels and packages to be marked.. 481
law requiring an inspector for each distillery repealed..... 481
officers to be designated to perform their duties..... 481, 482
collector may direct spirits stored in a bonded warehouse attached to a distillery to be removed to a general bonded warehouse, when, &c..... 481, 482

Internal Revenue, (continued.)
spirits thereafter made in such distillery to be so removed..... 482
spirits not to be removed from place of distillation, &c. in packages of over ten gallons..... 482
nor between sunset and sunrise..... 482
penalty for otherwise removing..... 482
any internal revenue officer may be specially authorized to seize property..... 482
powers of such officer..... 482
authority how limited..... 482
barrels, packages, &c. containing, or supposed to contain, distilled spirits may be seized when and by whom..... 482
may be detained, until, &c..... 482
if distilled spirits, found elsewhere than in bonded warehouse, are sold, &c. at price less than the tax, such sale to be prima facie evidence that they are liable to seizure and forfeiture..... 482
this provision not to apply to certain sales..... 482
persons emptying or drawing off articles subject to tax from barrels, &c. marked, &c. to efface such marks..... 482
those not doing so subject to a fine of $10 for each offence..... 482
barrels, &c. liable to forfeiture and may be seized..... 482
when a bond for removal of distilled spirits from bonded warehouse is forfeited, obligors to pay what..... 482, 483
property of obligors may be seized.. 483
if property is not found, bond to be put in suit..... 483
notice to collector and commissioner 483
stills fit for use, if not over $ 1,000 in value, seized for violation of internal revenue laws, not to be released before judgment..... 483
if over $ 1,000 in value, their release to be in the discretion of the court..... 483
if forfeited, to be destroyed..... 483
additional penalty upon owners, &c. of stills for neglect or refusal to do what the law requires concerning distilled spirits..... 483
fine, forfeiture of stills, &c. imprisonment..... 483
stills, &c. may be seized and held... 483
proceedings to enforce forfeiture, when, where, and how to be commenced..... 483
penalty upon collectors, assessors, &c. for asking or accepting any money, &c. for compromising, &c. any charge, &c. of violating, &c. the laws relating to internal taxes, unless, &c..... 483
fine and imprisonment.....483, 484
for falsely assuming to be a revenue officer and acting as such..... 484
fine and imprisonment..... 484
for mixing for sale naphtha and illuminating oils, or selling such mixture..... 484
for selling or offering for sale oil made from petroleum for illuminating purposes, &c..... 484
fine and imprisonment..... 484
for conspiring to commit any offence against the laws of, or to defraud the United States, if any party to the conspiracy does any act in pursuance and in aid thereof..... 484
fine and imprisonment..... 484
where offence is begun in one judicial district and completed in another, where to be deemed to have been committed and where punishable..... 484
for selling or giving away, &c. empty cigar-boxes that have been stamped without defacing the stamps..... 484
fine and imprisonment..... 484
cigar-boxes may be destroyed.. 484
forfeited distilled spirits not to be sold for less price than the tax..... 484
to be destroyed, if they cannot be sold in ninety days for a price equal to the tax..... 484
rules therefor to be prescribed by commissioner..... 484
inspectors of internal revenue to give bonds..... 484
bonds to be of what amount, how to be approved..... 484
tonnage duty on ships, &c. engaged in commerce, how often to be levied and collected..... 484, 485
tax on advertisements and gross receipts of toll-roads repealed..... 485
repeal of inconsistent acts..... 485
saving clause..... 485
Internal Revenue Record and Customs Journal,
subscription to copies of.....195, 445
Internal Revenue Taxes,
collection of certain, may be suspended in Portland, Maine..... 369
International Ocean Telegraph Company,
to have sole privilege for fourteen years to lay and operate telegraphic wires, &c. between the United States and Cuba, the Bahamas, and other West India Islands, the United States to have free use of the lines..... 44
mode of operating and charges..... 44
cables to be laid in three years, and in working order in five years, or the grant to be void..... 46
Interpreters,
to legations and consulates, and consular courts.....224, 225, 413, 414
Intoxicating Drinks,
not to be sold in the District of Columbia without license..... 213
Invalid Pensions,
appropriations for.....2, 398
Invalid Pensions and Pensioners. See *Pensions.*
provisions of law concerning.....56, 57, 230
Inventory,
of estate in bankruptcy..... 521
when proceedings are involuntary.... 537
Investment. See *Bankruptcy.*
court may order temporary, of assets of bankrupts in the hands of assignees... 524
Invoices,
imports, not over one hundred dollars in value, may be entered without triplicate, if, &c..... 182
district judge may issue warrants for seizure of..... 187
Invoices, Books, and Papers. See *Frauds on the Revenue.*
warrant for seizure of, in case of suspected frauds on the revenue..... 547

Involuntary Bankruptcy. See *Bankruptcy.*
provisions of the bankruptcy act concerning 536, 537
Iowa,
post-roads established in 6, 189, 285, 552
claim of, for expenses of certain volunteers, for moneys paid for troops to defend the State, and for forage and barracks to be examined 247
report on or before December 1, 1866 247
Iowa and Nebraska,
compensation of surveyor-general of district of, established 448
appropriation for office rent 448
Iowa and Wisconsin,
office of surveyor-general of, removed to Plattsmouth, Nebraska 344
Nebraska and Iowa to constitute a surveying district 344
Iowas,
appropriations for the 260, 501
Iowa Volunteer Infantry,
bounty to be paid to members of the thirty-seventh regiment of 82
Iron-clad Vessels of the Navy,
board to examine site for fresh-water basin for 357
Iron Mountain Railroad Company,
lands granted to Missouri, in aid of extension of 83, 84
Isabella Reservation,
for Chippewas of Swan Creek, &c... 657, 658
mill and land at Isabella City on, may be sold 659
Ish-tah-chan-ne-ah,
appropriation for treaty payment to the widow and children of 274
Island Pond,
appropriation to purchase site and erect building for custom-house at 23
Isthmus of Darien,
survey of, for ship canal 311
aid and facilities for exploration and survey of, for ship canal, to citizens of the United States 567
authority to be obtained from the United States of Colombia for the United States to make surveys of, for ship canal 572
Isthmus Routes to the Pacific,
appropriation for report of 49

J.

Jacks, Owners of,
definition of, and special tax on 120
Jacobs, Delia A.,
administratrix of Jacob Fitzgerald, may apply for extension of patent 621
application to be made within what time 621
intervening rights of third persons saved 621
Jail,
appropriations for, in the District of Columbia 19, 316
act authorizing the construction of... 231, 428
suitable site to be selected, and building constructed 231
architect to prepare designs and specifications, and publish notice for letting contract for building 231
contract to be let to lowest responsible bidder 231
Jail, (continued.)
contractor to give bond 231
how to be paid 231
appropriation 231
materials of old jail to be sold at auction 231
cities of Washington and Georgetown and county of Washington to contribute to payment for 231, 232
tax to be levied therefor 232
proceedings if either city or county is in default as to payment 232
in the District of Columbia, repeal of part of act authorizing the construction of.. 428
amount to be contributed by the city of Washington towards the construction of 428
by the city of Georgetown 428
how to be raised and when to be paid 428
no money to be paid towards construction of, unless letting of contract for building be suspended until perfected plans are completed and approved 575
nor unless the letting of the contract is opened to fair competition, &c.. 575
Secretary of Interior to select new site for 575
Japan,
mail steamship service between, and San Francisco 49
notification, forbidding American merchant vessels to stop or anchor at any port or roadstead in, except the three treaty ports 819
mail-steamship service between San Francisco and 394
vessels need not touch at Honolulu . 394
branch line from Japan to Shanghae in lieu thereof 394
prisons for American convicts in, appropriation for rent of 414
convention with, of January 28, 1864 ... 655
when to take effect 655
articles free of duty 655
at reduced duty of five per cent 655
those importing and exporting to pay the duty 655
importation of opium prohibited 665
convention with, of October 22, 1864.... 665
damages to be paid the four treaty powers for hostile acts of the Prince of Nagato, &c 665
amount fixed at $3,000,000, to include all claims 665
to be payable quarterly in instalments of one sixth, and when to begin .. 665
the opening of a port in the Inland Sea, may be accepted in lieu of payment of money 665
the Tycoon to make the offer, and the treaty powers at their option may accept it 665, 666
Jarvis, Edward,
pay for digesting facts by census of 1860 as to mortality and disease 326
Jauner, Elijah R.,
a counterfeiter of United States coin, payment for the pursuit and capture of... 619
Jefferson County, West Virginia,
consent of Congress to transfer of, from Virginia to West Virginia 350
provision as to jurisdiction of court of claims extended to 360
provisions as to the United States direct tax in 568

Jeffersonville, Indiana,
appropriation for erection of fire-proof buildings for storehouses for government property 487
Jess, A. M.,
may locate and settle upon one hundred and sixty acres of public lands 671
title to former location of, to revert to the United States 671
Johnson, James P.,
payment to 602
Joint Committee,
upon the condition of the so-called Confederate States, appropriation for the expenses of 360
Joint Promisors, &c.
practice in suits against, in the District of Columbia 405, 406
Joint Stock Companies. See *Bankruptcy.*
provisions concerning the bankruptcy of 534, 535
Joint Stock Company of the Young Men's Christian Association,
act to incorporate the 550
objects and powers of corporation 550
capital stock and limit to value of property 550
directors, by-laws, &c. 550
annual rate of interest 550
surplus of rents above interest, how to be applied 550
when whole stock is purchased and absorbed, real, &c. estate to be transferred to Young Men's Christian Association 551
corporation to be dissolved 551
income, how then to be applied 551
property and income exempt from taxation 551
act may be repealed 551
Jones, John W.,
pension to 595
Jones, Reverend Evan,
payment to 805
Jones, Stephen E.,
payment to, of pay and allowances as first lieutenant of cavalry 641
Judge Advocate-General,
rank, pay, and duties of 334
to revise, &c. the proceedings of court-martials, courts of inquiry, and military commissions 334
Judge Advocates,
not over ten in number may be retained in office 334
of the army, tenure of office of, &c. 410
Judges of Courts in the District of Columbia,
appropriations for the 205, 455
Judges of District Courts,
appropriations for the 205, 455, 471
salaries of, established 470, 471
powers and duties of, under the bankruptcy act 517, 518, 520, 541
upon complaint and affidavit that frauds on the revenue have been committed by any person engaged in the importation or entry of merchandise in such district, to issue warrant to enter premises and seize certain invoices, books, and papers, and bring them before them 547
such invoices, &c. to be subject to order of court, and may be retained .. 547
examination may be allowed 547
Judges of District Courts, (continued.)
warrant not to issue, unless, &c. 547
to be returned with report of service, &c. thereon 547
Judges of Election,
appointed in Georgetown and Washington 390
number, term of office, power, and duties 390
Judges of Supreme Courts,
of organized Territories, except Montana and Idaho, salaries of 427
in Montana and Idaho 426
Judicial Proceedings,
act to amend the law of the District of Columbia in relation to, therein 403
Judiciary,
appropriations for the expenses of the 205, 455
Judiciary Fund,
law requiring unexpended balances of appropriations for, to return to treasury, repealed 199
Jugglers,
definition of, and special tax on 120
tax to cover only one State 120
Jurisdiction,
offences committed within that of the United States not prohibited, and for which a punishment is not specially provided by any law of the United States, may be punished according to State law 13
repeal of the State law, not to affect prosecutions in the United States courts .. 13
of justices of the peace in civil and criminal cases in the District of Columbia .. 402
over offences begun in one judicial district and completed in another, to be in courts of either district 484
of courts of the United States in matters of bankruptcy ..... 517 – 541
of courts in the District of Columbia and the Territories 541
Jurors,
in the District of Columbia, how summoned, when all names are drawn from the box 1
for December term, 1865, of Supreme Court 1
vacancies in lists, how filled 1
in courts of the United States, appropriations for 205, 448
Justices of the Peace. See *District of Columbia.*
in the District of Columbia, act to regulate proceedings before 401, 402
appeal from judgment of, not to be allowed, unless, &c. 403
proceedings in the Appellate Court thereon 403
authority and jurisdiction of certain, at station-houses 213

K.

"Kamahamaha V.," The Hawaiian Bark,
payment to owners of, for passage of American seamen 599
Kansas,
post-roads established in 6, 189, 287, 551, 555, 556
grant of public lands to, in aid of the construction of the Saint Joseph and Denver City Railroad Company 210

Kansas, (continued.)
lands, how to inure to the benefit of the company 211
lands granted to, in aid of the construction of the Kansas and Neosho Valley Railroad 236
extent of grant and selection of lands 236, 237
conditions of grant 237
rights given to other roads 237, 238
public lands granted to, to aid the Union Pacific Railroad Company, southern branch, to construct, &c. a railroad from Fort Riley to Fort Smith 289
extent and conditions of grant and selection of lands 289, 290
grant of public lands to, to aid in the construction of a bridge over the Republican river 574
Kansas and Neosho Valley R. R. Co.,
lands granted to Kansas in aid of the construction of, and of its extension to Red river 236
extent of grant and selection of lands 236, 237
conditions of grant 237
right of way through public lands granted to 237
may extend its road southerly, through the Indian Territory to the Red river or to near Preston, Texas 238
right of through Indian Territory 238
limitations and conditions of grant. 238
may negotiate with Indians and others for lands 238
other railroads may unite with this, after it is located to the valley of the Neosho river 238
if certain other companies complete their road to a certain point, before this road is completed to that point, such other company may construct the road thence to Preston, Texas, with grant of lands, &c. 238, 239
Kansas Indians,
appropriations for the 260, 501
not over ten thousand may be received into certain part of the Choctaw, &c. country ..... 777 – 779
to be fellow-citizens of, and have the same rights as the Choctaws, &c. ..... 777 – 779
Keepers of Lighthouses,
salaries of, to be regulated by the Secretary of the Treasury 425
average not to exceed $600 each 426
Keenan, James,
payment to representatives for loss on exchange 640
Kelley, F. X.,
papers in case of, to be referred back to court of claims 644
court to grant a rehearing, if, &c. 644
Kelley, W. B.,
pension to 603
Kellogg, Spencer,
pension to 585
Kentucky,
post-roads established in 287, 552
Kentucky Militia Forces,
claims of certain, under the command of James S. Fish, to be investigated and paid 565
rates of pay 565
actual services only to be allowed for 565
Keokuk and Hamilton Mississippi Bridge Co.,
may build bridge across the Mississippi river 245
Keplinger, John,
payment to, as an enlisted soldier 645, 646
Kickapoos,
appropriations for the 260, 501
Kidnapping,
act to prevent and punish 50
Kiowas,
appropriations for the 259, 276, 493
Kioways,
appropriations for the 493
Kioways and Camanches,
treaty with, of October 18, 1865 717
See *Camanches and Kioways*.
Klamaths,
appropriations for the 277, 501
Klaus, Alois,
payment to 602
Kleinschmidt, Ernst F.,
payment to, in reimbursement for internal revenue tax wrongly collected of him. 634
Klopfer, H. A.,
payment to, for services 26
Knabb, George W.,
pension to 629
Kootenays,
appropriations for the 270, 501

L.

Laborers,
payment to those employed upon the public works, not to be regarded as income from salaries 140, 480
appropriations for, and for additional pay of certain 456
Laborers in Capitol,
appropriations for 205, 206
Lac de Flambeau Indians,
appropriations for the 257
Lac La Belle Harbor Improvement Company,
grant of lands to Michigan for use of, for ship canal 80
Lager Beer. See *Beer*.
internal revenue tax upon 164, 475
fractional parts of a barrel, and how accounted 164, 475, 476
Lakes. The Northeastern and Northwestern.
appropriation for survey of, and of public works on 62, 418
survey of northern and northwestern 488
See *Public Works*.
Lake Winnebagoshish Indians,
appropriations for the 258, 273, 496
Land Claim,
of heirs of John E. Bouligny confirmed .. 635
Land Claims, Private. See *Private Land Claims*.
act for final adjustment of certain 544
Land Districts,
additional, established in Oregon 82
boundaries of any, in Oregon, may be changed 83
the President may establish additional, whenever he deems necessary, and appoint officers 252
Arizona, established 542, 543
Montana, established 542, 543
Land Grants, to
Amiot, Augustus 580
Bawdin, James, heirs, &c. of 578
Domingues, José 589

Land Grants, to, (continued.)
Jess, A. M. ... 593
Ramirez, José Serafin ... 588
Sawyer, William ... 608
Stevens, Samuel ... 604
Syphax, Maria ... 589
Landlord and Tenant,
in the District of Columbia, right of landlord to seize on the personal chattels of his tenant for rent in arrear, abolished ... 404
landlord to have a tacit lien for rent on certain personal chattels of tenant on the premises ... 404
lien to commence when, and to continue how long ... 404
how may be enforced ... 404
Land Office. See *Land Districts*.
established at Boggy Depot, in Choctaw, &c. country ... 774
Lands,
certain in Ohio to be reappraised ... 608
patents for, in Missouri, to issue to Robert Baldwin, upon surrender of duplicate certificates of location ... 606
Lands, Public,
right of the United States to certain, in San Francisco, released to that city ... 4
certain locations of, in Missouri, made valid ... 12
right of the United States to certain, conveyed to James Y. O'Carroll, &c. ... 12
adverse rights not affected ... 13
appropriations for surveying the, in the several States and Territories ... 21, 318
grant of, for ship canal, &c. from Green Bay to Lake Michigan ... 30
right of way through, granted to Cascade Railroad Company ... 30
right of way through, for a canal, granted to the Humboldt Canal Company ... 64
reservoir, waste-gates, mills, depots .. 64
grant to cease, unless, &c. ... 64
in Alabama, Arkansas, Florida, Louisiana, and Mississippi, to be disposed of according to homestead law ... 66, 67
for two years, no entry to be for more than eighty acres ... 67
five dollars to be paid on issue of patent 67
no distinction on account of race or color 67
mineral lands not liable to entry and settlement ... 67
mode of procedure in applying for benefit of homestead law ... 67
affidavit and payment ... 67
no certificate to be given, or patent to issue, until after five years from entry ... 67
proof of residence or cultivation ... 67
when rights enure to benefit of infant children ... 67
executor, &c. may sell ... 67
title of purchaser ... 67
additional oath prior to Jan. 1, 1867 67
time of reversion of certain, granted to Michigan, for aid of a railroad from Amboy to Traverse Bay extended ... 78
grant of, to Michigan, for use of the "Lac La Belle Harbor Improvement Company" for ship canal ... 80
grant of, to Missouri, for extension of Iron Mountain Railroad ... 83
to Arkansas, for extension of railroad to Helena ... 83

Lands, Public, (continued.)
grant of, to Oregon, for military road from Corvallis to the Acquinna Bay .. 86
to make up deficiency in former grant for military road from Eugene City 374
how to be selected ... 374, 375
for construction of military wagon-road from Dalles City to Fort Boise ... 409
for military wagon-road from Albany to the eastern boundary of State ... 87
heretofore granted to Nevada for educational purposes, appropriation of by that State confirmed ... 85
grant of, to Nevada, for a university ... 85
for an agricultural college ... 85
lines of subdivisions in surveys of, in Nevada, may be changed from rectangular ... 86
in Nevada, containing gold, silver, quicksilver, or copper, reserved ... 86
not to be subject to entry until the State has her full quota ... 86
additional grant to Minnesota for railroad from Houston to western boundary of State ... 87
from Hastings to western boundary of State ... 87
unsold lots of Fort Howard military reserve to be sold at public auction ... 88, 89
amendment of act granting to Minnesota for railroad from St. Paul to Lake Superior ... 93
may be selected by Minnesota in lieu of lands sold or disposed of within limits of grants ... 97
heretofore granted to Minnesota for railroads, how to be certified and disposed of ... 97
grant of, and of right of way through, to the Placerville and Sacramento Valley Railroad Company, for construction of road ... 94, 95
expenses of collection of revenue from sales of ... 318
grant of, to Kansas, in aid of the construction of the Kansas and Neosho Valley Railroad and its extension to Red river ... 236
to Leavenworth, Lawrence, and Fort Gibson R. R. Co., if, &c. ... 238
to Union Pacific Railroad Company, southern branch ... 238
to California and Oregon R. R. Co., and to an Oregon company, in aid of the construction of a railroad and telegraph line from Portland, Oregon, to the Central Pacific R. R. in California ... 239
to Kansas, to aid the Union Pacific R. R. Co., southern branch, to extend its road from Fort Riley through the Indian Territory to Fort Smith ... 289
to the Atlantic and Pacific R. R. Co., to aid in construction of railroad and telegraph line to the Pacific coast ... 294
to the Southern Pacific Railroad ... 296
to Arkansas and Missouri, for a railroad from the Mississippi river, opposite the mouth of the Ohio, via Little Rock, to the Texas

Lands, Public (continued.)
boundary near Fulton, Arkansas, with branches to Fort Smith and the Mississippi river..... 338
to the Cairo and Fulton Railroad .. 339
to Wisconsin, construction of former grant..... 361
to Union Pacific R. R. Co. and its branches..... 367
grants of, made by Congress to promote education, statement of, to be made by the commissioner of education in his first report to Congress..... 434
right of way through certain, granted to the Stockton and Copperopolis R. R. Co. 548
grant of, to the State of California, to aid in the construction of the Stockton and Copperopolis Railroad..... 548
granted to Kansas for a bridge over the Republican river..... 574
condition of grant..... 574
occupied as town sites, and so not subject to entry, town authorities may enter at minimum price, in trust for the occupants thereof..... 541
trust, how to be executed..... 541
entry, when to be made..... 541
to include what..... 541
upon surveyed lands..... 541
amount that may be entered... 541
where there is no land office, statements may be made where 541, 542
doings of trustees not in conformity with this act to be void..... 542
this act not to apply to reservations for public purposes through whatever title derived..... 542
nor to mines of gold, silver, or copper 542
expenses of collection of revenue from sales of, appropriation for 318, 465
certain settlers in Sioux reservation in Minnesota may enter lands at minimum price..... 640
appropriations for the survey of, in
Arizona..... 465
California.....21, 318, 465
Colorado.....21, 318, 465
Dakota.....21, 318, 465
Idaho..... 465
Kansas.....21, 318, 465
Minnesota..... 465
Montana..... 318
Nebraska.....21, 318, 465
Nevada.....21, 318, 465
New Mexico..... 21, 318
Oregon..... 21, 318, 465
Washington.....21, 318, 465
Land Titles,
act to quiet certain, in San Francisco... 4
in Benicia and Santa Cruz, California 209
in California 218, 221
See *California.*
in the towns of Santa Clara and Petaluma, California..... 418
not to extend to reservations, nor prejudice adverse rights, nor preclude judicial examinations 418
in Saint Louis, Missouri, documentary evidence to be furnished to owners of certain..... 62
proceedings in such case 62, 63
of certain occupants of lands conveyed by the United States by treaty of St. Mary's, quieted..... 326
Land-Warrant Brokers,
definition of, and special tax on 116
Lansing, Abraham,
pension to..... 603
Larceny,
in the District of Columbia, punishment of.....406, 407
punishment for, of property belonging to the United States 557
Lastings, Shoe, &c.,
existing duty on, repealed..... 571
Laughlin, Agnes W.,
pension to..... 583
Law Clerk,
Attorney-General may employ 207
Law, Commander Richard L.,
restored to active list of the navy..... 361
Laws. See *Statutes at Large.*
appropriation for publishing in pamphlets and in newspapers 19, 194, 444
proof-reading and distribution..... 444
laws of thirty-sixth and thirty-seventh Congresses in two newspapers in each of the lately insurgent States..... 194
Laws and Treaties. See *Advertisements.*
when published officially in the rebel States, to be published only in the newspapers selected by the clerk of the House of Representatives.....466, 467
rates of compensation for publication 466, 467
to be the same in all the States..... 467
law as to publication of, in the District of Columbia..... 467
Lawyers,
definition of, and special tax on 121
Layman, Drusey A.,
pension to..... 603
League Island,
the Secretary of the Navy may accept title to, including back channel and adjacent marsh, for naval purposes, from the city of Philadelphia..... 396
title to the whole to be complete and indefeasible..... 396
acceptance thereof to be recommended by board of officers..... 396
the island and appurtenances to be held for naval purposes exclusively..... 396
if accepted, navy-yard at Philadelphia to be disposed of..... 396
"*Leased District,*"
appropriations for Indian service in the.. 278
Leather and Skins,
tax upon..... 474
Leavenworth City Railroad Company,
may construct horse railway through the military reservation from Fort Leavenworth to Leavenworth..... 212
conditions of grant of this privilege. 212
Leavenworth, Lawrence, and Fort Gibson Railroad Company,
under what conditions may build road from a certain point to Preston, Texas, with grants of land, &c..... 238, 239
Leavenworth, Pawnee, and Western Railroad Company,
called the Union Pacific Railway Company..... 355
time for completing the eastern division of railroad and telegraph-line by, extended..... 355
Leave of Absence Pay,
of officers of revenue-cutter service..... 416

Leddy, Hugh,
payment to, for liquors wrongly seized.. 638
Lee, William G.,
payment to, in full for claim..... 599
Legacies,
to minor children, unless over $1,000, to be exempt from tax..... 140
if over $1,000, excess only to be taxed..... 140
when tax on, is due..... 140
Legal Documents,
exempted from stamp duty..... 475
Legislative Assemblies,
of Territories, not to grant private charters or special privileges..... 426
may pass general incorporation acts, allowing associations for mining, manufacturing and other industrial pursuits 426
Legislative, Executive, and Judicial Expenses,
appropriations for, for years ending June 30, 1867 and 1868..... 191, 208
pay and mileage of Senators..... 191, 440
pay of officers, &c. of Senate..... 191, 440
contingencies of Senate..... 191, 441
Congressional Globe..... 191, 192, 441
reporting proceedings in Daily Globe 191, 441
additional compensation to reporters..... 191, 441
one set of Globe and Appendix to each new Senator..... 192, 441
those having part of set, to receive enough to complete it..... 192, 441
clerks to committees, pages, horses, &c.. 192, 441
capitol police..... 192, 441, 442
heating and ventilating..... 192, 441
miscellaneous..... 192, 441
pay and mileage of representatives and delegates..... 192, 441
pay of officers and clerks..... 192, 441
contingent expenses of the House... 192, 193, 442
clerks to committees and temporary clerks..... 193, 442
Congressional Globe and Appendix..193, 442
sets to new representatives and delegates..... 442
notice to terminate the purchase of sets..... 442, 443
folding documents and materials.... 193, 443
fuel, lights, pay of engineers, &c..... 193, 443
furniture, repairs, packing-boxes.... 193, 443
horses, carriages, and saddle-horses.. 193, 443
laborers and miscellaneous..... 193, 443
newspapers, pages, mail boys..... 193, 443
reporting in Daily Globe..... 193, 443
additional pay to reporters..... 193, 443
stationery..... 193, 443
public printing, superintendent, &c... 193, 443
paper for public printing..... 193, 443
public binding..... 193, 443
lithographing, engraving, and mapping 193, 443
statutes at large, volume thirteenth..... 193
library of Congress, pay of officers, and purchase of books..... 193, 443
botanic garden and greenhouses..... 193, 443
superintendent and assistants... 193, 443
files of leading American newspapers... 194
of leading periodicals and newspapers 443
court of claims, judges, solicitors, &c.... 194, 444
contingent and miscellaneous... 194, 444
attorneys to take testimony..... 194, 444
Legislative, Executive, and Judicial Expenses, (continued.)
payment of judgments of court of claims in favor of claimants..... 194, 444
Executive, secretaries, steward, &c... 194, 444
State Department..... 194, 444
incidental and contingent expenses.. 194, 444
pamphlet laws and in newspapers, 194, 444
publishing laws of the thirty-seventh and thirty-eighth Congresses in two newspapers in each of the lately insurgent States..... 194
proof-reading, packing, &c. 194, 444
stationery, printing, books, maps, &c. 194, 444
extra clerk hire..... 194, 444
northeast executive building.... 194, 444
Treasury Department..... 194, 444
secretary and assistants, &c..... 194, 195, 444–446
comptrollers' offices.. 194, 196, 444–446
auditors' offices..... 195, 196, 444–446
treasurer's office..... 195, 196, 445, 446
register's office..... 195, 196, 445, 446
solicitor's office..... 195, 196, 445, 446
commissioner of customs' office 195, 196, 445, 446
lighthouse board 196, 197, 445, 446
comptroller of currency 195, 197, 445, 446
paper, special dies, and printing of circulating notes..... 195, 445
rent, dies, paper, stamps, &c.... 445
commissioner of internal revenue... 195
subscription to copies of internal revenue record and customs journal. 195, 445
salaries and expenses of collectors, assessors, revenue agents, inspectors, superintendents of export and drawback, and expenses of working the internal revenue act..... 445
no collector or assessor entitled to any part of salary unless confirmed by Senate, except, &c..... 445
temporary clerks and additional pay to clerks..... 195, 196, 446
may be classified..... 196
unexpended balance of appropriation for temporary clerks and additional compensation to clerks to be how divided..... 196
if balance is insufficient, deficiency how supplied..... 196
stationery for several bureaus... 197, 446
southeast executive building, including the extension..... 197, 446
rent of building for clerks..... 446
bureau of statistics, contingent expenses.. 446
statistics of mines and mining..... 446
Interior Department..... 197, 447
secretary's office..... 197, 447
general land office..... 197, 447
additional clerks..... 447
may be used for piece work..... 447
work to be given only to persons in indigent circumstances, to soldiers or widows of soldiers..... 447
to be done by the employee in person 447
commissioner of Indian affairs.. 197, 447
of pensions..... 198, 199, 447
packing and distributing journals and documents..... 197, 447

Legislative, Executive, and Judical Expenses, (continued.)
commissioner of public buildings 198, 447
surveyors-general and their clerks 198, 448
rent of office, fuel, &c..... 198, 448
salary of surveyor-general of Iowa and Nebraska established..... 448
office of surveyor-general of Wisconsin and Iowa to be abolished when this appropriation is exhausted.... 198
recorder of land titles in Missouri 198, 448
expenses of courts of the United States, safe-keeping of prisoners, and prosecution of crime..198, 448, 449
law requiring unexpended balances of appropriations for judiciary fund to return to treasury, repealed.... 199
building for the federal courts in New Orleans..... 199
War Department..... 199, 449
secretary's office..... 199, 446
adjutant-general..... 199, 449
quartermaster-general.....199, 449
paymaster-general.....199, 449
pay of chief clerk established.....199
number of third-class clerks reduced..... 199
of fourth class increased..... 199
commissary-general.....199, 449
surgeon-general.....199, 449
chief engineer.....199, 200, 449
colonel of ordnance....199, 200, 449, 450
office of military justice 199, 200, 449, 450
signal office..... 449
inspector of military academy..... 449
additional compensation to employees and subordinates.....449, 450
northwest executive building.....200, 450
building corner of F and Seventeenth streets.....200, 450
corner of F and Fifteenth streets.200, 450
Navy Department.....200, 450, 451
secretary's office.....200, 450, 451
bureaus.....200, 201, 450, 451
blank books, stationery, &c..... 201, 451
introducing water at naval academy grounds and buildings..... 201
southwest executive building.....201, 451
Post-Office Department.....201, 451
contingent expenses.....201, 451
money-order bureau..... 201
topographer preparing, &c. post-route maps..... 201
Department of Agriculture.....201, 451
agricultural statistics.....201, 451
purchase and distribution of seeds.. 201, 451, 452
what kind of seeds to be purchased, &c.....201, 452
propagation and distribution of plants, cuttings, and shrubs...202, 452
what kind to be propagated, &c. 202, 452
annual report of expenditure to Congress..... 452
Glover Museum..... 452
experimental garden.....202, 452
mint at Philadelphia.....202, 452
branch at San Francisco.....202, 452
assay-office, New York.....202, 452
branch at Denver.....202, 452
independent treasury.....202, 203, 452, 453
salaries of assistant treasurers..202, 452, 453

Legislative, Executive, and Judicial Expenses, (continued.)
additional salaries.....202, 203, 452, 453
no salary to be increased beyond what the law allows..... 453
clerks in office of assistant treasurer at Boston..... 202
certain clerks authorized in lieu of those existing, and their salaries established..... 202
designated depositaries and special agents 203, 453
inspectors of steamboats.....203, 453
more thorough investigation of causes of disaster to vessels, and prosecutions for violations of law..... 453
contingent expenses in safe keeping and disbursement of public revenue....203, 454
no part for clerical services.....203, 454
checks and certificates of deposits at New York.....203, 454
machinery and fixtures, &c. of branch mints at New Orleans, Charlotte, and Dahlonega, may be removed or sold... 203
these branch mints may be discontinued..... 203
governments in the Territories.203, 204, 454, 455
Arizona.....204, 454
Colorado.....204, 454
Dakota.....204, 454
Idaho.....204, 455
Montana.....204, 455
Nebraska.....204, 454
New Mexico.....203, 454
Utah.....204, 454
Washington.....204, 454
judiciary.....205, 455
office of Attorney-General..... 205
judges of the Supreme Court and of district courts.....205, 455
judges of the Supreme and other courts of the District of Columbia.....205, 455
reporter of decisions.....205, 455
salary of, established at $2500..... 205
to deliver within time 300 copies of reports to Secretary of Interior... 205
district attorneys and marshals..... 455
expenses of loans and treasury notes.... 455
detection and conviction of counterfeiters of the securities and coin of the United States..... 455
deficiency in fund for relief of sick and disabled seamen..... 455
commissioners to revise and consolidate the statutes of the United States..455, 456
clerical services and incidental expenses..... 456
printing to be done in the government printing-office..... 456
additional pay to certain clerks for services under the amnesty proclamation.. 205
laborers in capitol.....295, 456
public gardener and laborers.....205, 456
gatekeepers and watchmen.....206, 456
policemen, doorkeepers, &c. President's house.....206, 456
night watchmen.....206, 456
drawkeepers at Potomac bridges.....206, 456
heating apparatus of library..... 456
furnace keeper and watchman..... 456
additional pay to watchmen and laborers..... 456
metropolitan police.....206, 456

Legislative, Executive, and Judicial Expenses, (continued.)
pay of metropolitan police, increased fifty per cent from July 1, 1865..... 206
increased fifty per cent from July 1, 1867..... 456
increase to be borne proportionately by Washington and Georgetown. 206, 456, 457
special tax therefor.....206, 457
no person to be appointed policeman or watchman who has not served in army or navy, and been honorably discharged 457
police telegraph..... 206
salary of Treasurer of the United States established..... 206
of commissioners of public buildings..... 206
appropriations..... 206
President's household.....206, 207
private secretary..... 206
assistant secretary..... 206
short-hand writer..... 206
clerk of pardons..... 207
three clerks of fourth class..... 207
steward of household..... 207
bond and duties of..... 207
appropriations..... 207
office of assistant solicitor of treasury, established..... 207
Attorney-General may employ a law clerk..... 207
pay of female clerks and counters, established..... 207
twenty per cent additional pay of certain females, messengers, watchmen, and laborers, continued..... 207
additional clerks authorized in Navy Department..... 207
in bureau of yards and docks..... 207
of navigation..... 207
of equipment and repair..... 207
of ordnance..... 207
of construction and repair..... 207
of steam navigation..... 208
of provisions and clothing..... 208
in bureau of medicine and surgery..... 208
appropriations therefor..... 208
increase of pay of certain inspectors of customs, continued..... 208
Stewart Gwynn, mode of adjusting accounts of..... 208
purchase of Indian amnesty goods in lieu of these destroyed by fire..... 208
appropriation to pay certain informers their part of fines, penalties, and forfeitures..... 208
witnesses in the court of claims not to be excluded on account of color..... 457
geological and topographical exploration of the territory between the Rocky Mountains and the Sierra Nevada.... 457
to be done out of existing appropriations..... 457
additional annual compensation to Louis Saunders..... 443
Letter Carriers,
in San Francisco, additional salary to ... 357
Letters,
prepaid and free to be forwarded at request of person addressed free..... 60
dead, to be returned to writers without charge..... 60
indorsed, to be returned without charge 60
Letters Patent,
provisions concerning those of
Burrall, Thomas D..... 637
Butterworth, Joshua H..... 636
Cook, James C..... 622
Fitzgerald, Delia A..... 621
Fitzgerald, Jesse..... 621
Jacobs, Delia A..... 621
Mann, William..... 625
Morris, Joseph R..... 645
Sawyer, Sylvanus..... 633
Senneff, Jacob..... 625
Ward, William E..... 633
Wells, Eliza..... 637
Wells, Henry A..... 637
Levy,
certain property of householders, &c. exempt from, in the District of Columbia 389, 390
exception..... 390
Levy Court of Washington County, D. C.,
act to give certain powers to..... 215
certain real property may be sold for taxes 215
proceedings in cases of sales..... 215
redemption within two years..... 215
improved property not to be sold, if there is sufficient personal property..... 215
minors, mortgagees, and those having equitable interests, to have what time within which to redeem..... 216
collector of, may collect any tax by distress and sale..... 216
may demand of Washington or Georgetown its proportion of expenses..... 216
may locate as highways certain roads known and used as military roads..... 45
damages how assessed..... 45
prohibited from hindering, delaying, or obstructing the construction or operation of the Washington County Horse Railroad Company..... 382
required and authorized to levy a special tax to cover increased expense of metropolitan police..... 457
Washington and Georgetown to bear the tax, and in what proportions..... 457
Liberia,
a gunboat of the navy to be transferred to the republic of..... 39
how to be paid for..... 39, 40
appropriation for diplomatic representatives.....8, 225, 414
title of, hereafter to be minister-resident and consul-general..... 226
Librarian of Congress,
may employ two additional assistants ... 13
their compensation and when to commence..... 13
to collect the penalty from delinquent proprietors of copyrighted articles not delivered to library of Congress according to law..... 395
Library of Congress,
library of Smithsonian Institution to be transferred to..... 13
appropriations for 18, 21, 23, 443
purchase of books for.....193, 443
files of American papers..... 193
files of leading periodicals and newspapers for..... 443
library of Peter Force..... 462
bust of Pulaski..... 462
two additional assistants and temporary help for..... 469

Library of Congress, (continued.)
iron stairways, repairs, and new skylight. 469
a certain surplus fund under contract for a picture by W. H. Powell, transferred to purchase books for the..... 470
law library of the late James L. Petigru to be bought for..... 365
transfer of former appropriations..23, 193, 314
extension of building for..... 317
Licenses,
for sale of intoxicating drinks in the District of Columbia, provisions concerning..... 213
of engineers and pilots, when may be revoked..... 227
to trade with the Choctaws and Chickasaws.....779, 782
with the Cherokees..... 801
License Taxes,
certain, of wholesale dealers may be refunded..... 301
Lien,
tax on raw cotton to be a lien on the cotton in whosesoever hands, until paid .. 98
after demand and non-payment, a lien on all property and rights of property..... 107
parties claiming, on imported goods, to be notified before delivery to owners..... 182
possession by officers, not to discharge..... 182
United States not liable for failure to notify..... 182
for freight on imported merchandise in custody of collector, when notified thereof in writing, collector may refuse the delivery of the merchandise, until freight is paid or secured..... 547
Liens,
proceedings to enforce in the District of Columbia, to be by bill, &c. in equity.. 404
form and effect of decree in such cases..... 404
provision as to discharge by assignee of those created by bankrupt.....523, 524
persons holding, on any property of bankrupts, may prove balance against estate 526
See *Bankruptcy*.
Lien, Tacit,
landlord to have, in the District of Columbia, upon certain personal chattels of his tenant for rent..... 404
when to commence and how long to continue..... 404
how may be enforced..... 404
Lieutenant-Commanders,
number of grade of, in the navy, established..... 222
may be assigned to what duty..... 223
increase in grade how made..... 222
five may be appointed from naval volunteer service..... 222
Lieutenant-General,
staff allowed to..... 223
two aids and a military secretary.... 223
their rank and pay..... 223
one of the army, pay, emoluments and staff..... 333
Lieutenants,
number of grade of, in the navy established..... 222
increase in grade, how made..... 222
twenty may be appointed from naval volunteer service..... 222
Life-Boats,
on passenger vessels, to be provided with suitable boat-disengaging apparatus... 228
Life-Boats, Stations, &c.,
appropriations for.....312, 313, 327
Lighthouse. See *Morocco*.
at Cape Spartel, the direction of the, to devolve upon the United States and other contracting powers..... 680
the sovereignty of, to remain in the Sultan of Morocco..... 680
the expenses of management to be borne by the contracting powers..... 680
to be continued by them even in case of war..... 680
of repairs and reconstruction by the Sultan..... 680
the Sultan to furnish guard for security of..... 680
rules and regulations for the service and superintendence of the.....680, 681
Lighthouse Board,
appropriations for the office of the..195, 197, 445, 446
contingent expenses of..... 324
to make survey if, &c. of or near Crossledge Shoal..... 425
to report, with estimates, to next Congress as to erecting lighthouse thereon 425
may apply unexpended balances to construct similar works on Pacific coast authorized by Congress, &c..... 466
may purchase sites for lighthouses, &c. when, &c..... 466
to erect permanent beacons in lower bay of New York..... 470
Lighthouse Establishment,
appropriation for the expenses of the..15, 16, 311–313, 457–460
certain superintendents of lights not to receive commissions for disbursements for..... 466
Lighthouses, &c.
appropriations for.....312, 313
for re-establishing on southern coast.. 313
Secretary of the Treasury to contract for the building of, at certain points, at not over a certain cost..... 425
contract to be made with lowest bidder, upon sufficient security, after advertisement for proposals..... 425
salaries of keepers of, to be regulated by the Secretary of the Treasury..... 425
average not to exceed $600 for each keeper..... 426
Lighthouses and Lighted Beacons,
appropriation for salaries of keepers of, &c..... 458
repairs, renovations, and rebuilding 458–460
building of new..... 460
provision as to purchase of sites for..... 466
application of unexpended balances for, on the Pacific coast..... 468
Lighting Buildings, Grounds, and Streets,
appropriations for the.....18, 314, 315, 325, 462–464
corporation of Washington, how to light their lamps and for what time..... 462
dome of capitol..... 463
rotunda of capitol with gas..... 464
Lights,
foremast-head light only on ocean-going steamers and those carrying sail..... 228

Lights, (continued.)
of river-steamers navigating waters flowing into Gulf of Mexico..... 228
of coasting steamers other than ferry-boats, &c.....228
Light-Stations,
appropriations for repairs and renovations of.....458–460
Limitation of Actions,
suits by or against assignees under the bankruptcy act, to be brought within two years after cause of action accrues 518
proceedings to contest validity of discharge of bankrupt, to be commenced within two years..... 533
Limited Partnerships,
in the District of Columbia, act authorizing..... 435–438
law as to the formation of, the transaction of business by, and the dissolution of.....435–438
suits by and against..... 437
general and special partners, provisions concerning.....435, 436, 437
Lincoln, Abraham,
appropriation for expenses of burial of... 19
contract for statue of..... 370
Lincoln, Mary,
franking privilege granted to..... 3
payment to..... 577
Lincoln Square, Washington, D. C.,
act to establish..... 251
Lisbon,
pay of consul at, established..... 225
Lists, Annual,
of property liable to internal revenue tax, provisions concerning.....101, 102, 103
those making, to declare whether values are stated in coined money or in legal tender..... 147
when to be sent to collector..... 104
special, may be made of property omitted or understated..... 104
within what time..... 104
penalty for neglect to return lists in time..... 102
for rendering false lists..... 102
monthly lists to be made before the tenth of each month..... 150
quarterly and other, when to be returned and paid..... 150
Lithographing,
appropriations for.....193, 443
Little Osages. See *Osages*.
treaty with.....685–693
Livery-Stable Keepers,
definition of, and special tax on..... 116
Loans and Treasury Notes,
appropriation for expenses of.....205, 455
Local Inspectors of Steamboats,
annual pay of, established..... 229
See *Inspectors of Steamboats*.
Locations,
of mineral lands hereafter made, not to exceed two hundred feet along the vein, with additional claim for discoverer, and right to follow vein to any depth.. 252
limit to number and extent of..... 252
Long, Solomon,
pension to children of, under sixteen years of age..... 621
Lot Number Nine,
in square number seventy-six, may be sold..... 246
Lottery Dealers,
not to engage in the business without first having paid the special tax therefor.....301, 302
amendment of section thirteen of act of 1865, ch. 78..... 301
Lottery-Ticket Dealers,
definition of, and special tax on..... 116
to pay monthly tax of five per cent on gross receipts..... 137
Lousiana,
the insurrection declared to be at an end in..... 813
all public lands in, to be disposed of according to homestead law.....66, 67
See *Lands, Public*.
western judicial district of, abolished.... 300
whole State forms the district of..... 300
district judge, attorney, and marshal of the eastern district to be the judge, &c. for the district now established..... 300
provision as to clerks, records, papers, and process 300, 301
salary of the judge for the district of.... 301
suits, judgments, and business of the United States provisional court for the State of..... 344
act to provide for the more efficient govment of..... 428
constituted part of the fifth military district 428
See *Rebel States*.
act for final adjustment of private land claims in, extended for three years.... 544
Low, Captain,
of the bark Kilby, gold medal and reward to..... 365
Lower Brulés,
appropriations for the.....273, 508, 509
Lower Brulé Indians,
treaty with, of October 14, 1865..... 699
jurisdiction and authority of the United States acknowledged..... 699
persons and property of other tribes not to be first attacked..... 699
controversies between the tribes to be submitted to the President for arbitration 699
to withdraw from overland routes, &c.... 700
payment therefor.....700, 702
individual Indians locating on lands for agricultural, &c. purposes, to be protected..... 700
reservation for..... 700
boundaries of..... 700
whites not to reside or go on reservation unless, &c. 700
schools may be opened thereon..... 700
payments to, upon occupation of reservation for agricultural pursuits..... 700
to be expended in stock, agricultural implements, &c..... 700
stock, &c. to be the property of the United States..... 700
blacksmith and farmer, to be employed at cost of the United States..... 700
the Two Kettles Band may be located adjoining to..... 700
amendments to be binding..... 700
amendment..... 702
Lucas, Daniel,
pension to..... 606
Lumber,
use of certain, granted for erection of buildings for fair for Soldiers', &c. Orphans' Home..... 356

Lumphrey, Oliver,
payment to, as first lieutenant of cavalry 59
Lynch, Frank,
pension to..... 596
Lyon, Francis S.,
release to, of the interest of the United States in certain land in Alabama.... 40

M.

Machinery,
for the manufacture of sugar from beets to be free of duty for one year..... 330
to be free of duty 571
Machinery, Fixtures, &c.
at branch mints at New Orleans, Charlotte, and Dahlonega may be removed to other branch mints or sold..... 203
Madison, James,
resolution directing the distribution of the writings of..... 348
Magazine,
site and building for, for storing gunpowder 92
Magicienne, The British Vessel,
payment to owners of, and shippers of cargo by..... 601
amount how to be distributed..... 601
Mahe, Seychelle Islands,
consulate established at, and added to schedule B..... 414
salary of consul at..... 414
Mail Service,
deficiency appropriation for, for 1866.... 321
between San Francisco and Portland, authorized 566
cost not to exceed $25,000..... 566
bids and contracts therefor..... 566
Mail Steamship Service,
appropriations for.....49, 394
between New York and California.. 49
between the United States and Brazil.....49, 342, 394
between San Francisco and China and Japan..... 49, 394
vessels not to touch at Honolulu 394
branch line from Japan to Shanghae..... 394
monthly authorized between San Francisco and Honolulu..... 543
proposals for contract for, to be advertised 543
contract with lowest bidder.....543, 544
certain bids not to be considered 543, 544
vessels to be first-class American seagoing steamships..... 543
to be inspected before they are accepted for the service..... 544
contract, when to go into effect 544
stipulations thereof..... 544
may be terminated if assigned or underlet..... 544
Maine,
post-roads established in 6, 280
Major-Generals,
five of the army, their pay, emoluments, and staff..... 333
Makahs,
appropriations for the.....266, 501, 502
Malicious, &c. Destruction,
of bank bills, notes, stocks, &c. in the District of Columbia, punishment of 406, 407
Malta,
pay of consul at, established..... 225
Mandams,
appropriations for the..... 493
Manifests,
provisions of law as to, to apply to vessels owned by foreigners..... 184
stamp duty on, not to apply to vessels between United States and British North America 475
Mann, William,
application of, for extension of patent may be considered..... 625
to be published..... 626
intervening rights..... 626
Manual-Labor School,
upon Isabella reservation of the Chippewas, provisions concerning.....658, 659
board of visitors for..... 659
for orphan children of the Creek nation . 788
Manual-Labor Schools and Colleges,
certain products of, not exempt from taxation..... 475
not to pay a manufacturers' tax or special tax, while, &c..... 152
Manufacturers,
definition of, and special tax on 119
to render an account of full amount of actual sales..... 122
to state quantity used or consumed by, and what used for another manufacture 122
the market value, and whether goods were shipped or consigned..... 122
to make a return, and at what value..... 122
value and quantity to be estimated by actual sales..... 123
how estimated when goods are not in the custody of..... 123
of tobacco, snuff, or cigars .....123 – 127
See *Tobacco, &c.*
those offering for sale the articles named in schedule C, to be deemed the manufacturers of..... 144
additional penalty upon, for selling, &c. without a stamp, articles required to be stamped..... 472
amount of tax omitted within two years to be estimated, &c..... 472
Manufactures,
statistics of, to be prepared by the director of the bureau of statistics..... 331
all, except refined petroleum, refined coal-oil, cotton, gold and silver, spirituous and malt liquors, manufactured tobacco, snuff, and cigars, exempt from tax when the product does not exceed the rate of $1,000 a year, and are made by the labor, &c..... 127
this exemption not to apply to coffee, ground spices, and dry mustard, and substitutes therefor..... 129
when the product exceeds $1,000 but is not over $3,000, the tax is on the excess over $1,000..... 127
in all other cases the whole annual product is taxed..... 127
tax to be paid by the producer or manufacturer..... 127
if producer uses or consumes, or removes, for consumption or use, any articles liable to tax, he shall pay a tax on the salable value of such articles..... 127
naphtha exempt when, &c..... 127
tax on certain, unless otherwise provided for.....128 – 133
See *Internal Revenue, p.* 890.

Manufactures, (continued.)
in possession of manufacturers when the act takes effect, on which duty has not been paid or was not imposed, to be deemed to have been manufactured after such date..... 173
Manufacturers of Cotton,
in districts of its production, duties of, under the internal revenue law 100
Mapping,
appropriations for.....193, 443
Maps, &c.,
to be published and furnished at cost.... 67
Mare Island,
appropriation for navy-yard and hospital at 36
Maria Henry, The Bark,
payment to the owners of the..... 599
Marine Corps,
allowance to officers of, for loss of personal effects by casualty, &c..... 14
appropriations for.....34, 491, 492
transportation and expenses of recruiting.....34, 311
disbursing officers of the, to be allowed credits for certain losses of property .. 345
laws relating to, to be published officially in the Army and Navy Journal..... 468
commandant of, to have rank and pay of brigadier-general of the army..... 517
officers of, to be credited with the time of their service in the volunteer service... 516
Marine Hospital Buildings,
and lands may be leased or sold at public auction..... 40
proceeds how applied..... 40
those at Cleveland and Portland not to be sold or leased..... 40
certain others not to be sold or leased..40, 76
Marine Mail Transportation
between New York and California..... 394
Markers of Cotton,
appointment and pay of..... 101
Marriage. See *Colored Soldiers*.
what proof of, to enable widows and children of colored soldiers and sailors to receive pensions, bounties, and back pay..... 58
of colored soldiers, provisions respecting the proof of.....357, 358
Marriages,
act legalizing, in the District of Columbia 236
certain colored persons, who have agreed to be man and wife, and living together as such, to be deemed husband and wife 236
their children legitimate..... 236
children of those who have ceased to cohabit..... 236
Marshal, (*United States*,)
pay of, for eastern district of New York 324
of the Supreme Court of the United States, appointment of, authorized.... 433
his powers, duties, and salary..... 433
may, with the approval of the chief justice, appoint assistant marshals and messengers 433
Marshals,
additional compensation to, for services in the suppression of the slave-trade... 23
duties of, under civil rights act..... 28
penalty for violation..... 28
fees of, and how paid..... 29
appropriations for pay of..... 205
for consular courts in Japan, China, Siam, and Turkey 414
Marshals, (continued.)
appropriations for the compensation of the..... 455
for payment to certain, and their assistants, for services in taking the eighth census..... 468
no payment to any one who participated in the rebellion..... 468
the word marshal to include deputies under the bankruptcy act..... 540
to act as messengers under the bankruptcy act..... 521
fees of. See *Bankruptcy*..... 540
Marshals in Consular Courts,
appropriations for..... 225
Martin D. Randolph,
claim of, as assignee of Washington, Alexandria, and Georgetown Railroad Company to be adjusted and settled... 642
Maryland,
post-roads established in 189, 282, 552
the thirty-fourth section of declaration of rights of, prohibiting certain sales, gifts, and devises, annulled..... 232
such gifts, &c. to be made at least one month before death of donor. 232
act to change certain collection districts in..... 410
Massachusetts,
post-roads established in..... 7
claim and accounts of, for expenses for coast defence to be examined..... 367
Master Mechanics,
at navy-yards, to be men skilled in their trade, and appointed from civil life.... 490
Masters,
number of grade of, in the navy established..... 222
increase in grade, how made..... 222
fifty may be appointed from naval volunteer service 222
Matamoras,
decree of blockade of, and of other Mexican ports, declared void..... 814
Mathematics,
vacancies in grade of professor, not to be filled..... 38
"*Mayflower*,"
name of the yacht, changed to "Silvie". 567
May, Quincy A.,
pension to 606
McClelland, Rachel,
widow of John F. McClelland, pension to..... 632
McCook, Martha,
widow of Major McCook, annuity to.... 641
McFerran, John C.,
credit to be allowed to, for erroneous receipt for money given to Francis F. Thomas.....621, 622
McGee, Caroline,
widow of Lemuel McGee, pension to.... 624
McKinney, Edward P.,
allowance to be made to, upon proof, &c. 600
McKinnon, Milton,
payment to, of amount of lost draft..... 611
duplicate to be furnished and bond given 611
McMahon, Daniel,
pension to..... 629
McManus, Mary A.,
pension to..... 597
Meade, Richard W.,
claim of, as administrator referred to the court of claims..... 611

Measurer,
office of, at the port of New York, abolished 289
duties of, to be performed by weighers... 289
Measures, Weights and,
the use of the metric system of, authorized 339
tables of equivalents 339, 340
Mechanics and Laborers,
on public works, payments to, not to be deemed income.....140, 480
at navy-yards not to be discharged for political opinions..... 492
Medals,
certain, may be sent free through the mails by the State of Ohio to its veteran soldiers..... 356
may be sent free through the mails to certain honorably discharged soldiers of West Virginia, by the adjutant-general of that state 563
envelope enclosing, to be franked by the adjutant-general..... 563
Medawakantons,
appropriations for the.....279, 514
Medical and Hospital Department,
of army, appropriation for..... 91
Medical and Surgical History of the Rebellion,
appropriation for volume one..... 310
edition how to be disposed of..... 311
engraving and lithographing for.... 311
Medical Department,
of the army, hereafter to consist of, &c. 334, 335
hospital stewards to be permanently attached to..... 335
Medical Statistics,
of provost-marshal-general's bureau, appropriation for preparing, &c..... 311
Medical Storekeepers,
number and pay of..... 335
Medical Works,
appropriation for purchase of 485
Medicine and Surgery,
appropriations for bureau of.... 34, 200, 201, 450, 451, 491
additional clerks in, authorized..... 208
Meehan, Patrick,
pension to..... 625
Meetings of Creditors. See *Bankruptcy.*
in proceedings under the bankruptcy act, if not called in due time by assignee, court may order the calling of..... 531
Memorandum
of sales by brokers, &c., stamp tax on,.. 134, 145
Memorial Tablets and Mural Monuments,
appropriation for 59
Menomonees,
appropriations for the 258, 260, 502
Menomones,
appropriations for the..... 494
Merchandise,
in former revenue act to mean "goods, wares, and merchandise"..... 180
Messenger. See *Bankruptcy.*
in proceedings under the bankruptcy act 521, 537
word to include assistants, except, &c. .. 540
fees of, and how to be paid 540
penalty against, for offences under the bankruptcy act..... 539
Meters. See *Internal Revenue.*
Secretary of Treasury may adopt for testing spirits subject to tax, &c. 481
Metric System,
of weights and measures, use of, authorized 339
tables of equivalents.....339, 340
postal balances denominated in grams of, to be furnished certain post-offices.... 301
equivalent of the half-ounce in grams.... 301
set of standard weights and measures of, to be furnished to each State..... 369
Metropolitan Mining and Manufacturing Company,
act of incorporation of.....217, 218
general provisions of.....217, 218
Metropolitan Police in the District of Columbia,
appropriation for expenses of.....206, 456
pay of, increased fifty per cent..... 206
how to be borne..... 206
special tax therefor..... 206
increase of pay of 321
how to be borne, and tax therefor... 321
title of officers of 212
additional officers and men authorized 212, 213
uniform of..... 213
property clerk of, to have power of notary public 213
powers and duties of..... 213
provisions as to property held as the proceeds of crime, or for evidence.....213, 214
as to detective officers in the District of Columbia 214
appropriations for salaries of increased force 374
pay of increased force, increased..... 374
how to be borne..... 374
special tax therefor authorized..... 374
pay of, increased fifty per cent from July 1, 1867..... 456
increase to be borne by the cities of Washington and Georgetown, and in what proportion.....456, 457
levy court of county, may levy a special tax therefor 457
no person to be appointed policeman or watchman, who has not served in army or navy, and received an honorable discharge 457
Metropolitan Railroad Company,
in Washington, D. C., time of completing part of line extended for three years from January 1, 1866..... 440
Mexican Grantees,
purchasers of lands from, in California, provisions concerning.....220, 221
Miamies,
appropriations for the 260, 261, 502, 515
to whom only to be paid 515
Miantonomah, The Iron-clad,
officers of, may accept presents from the Emperor of Russia 646
presents may be admitted duty free.. 646
Michigan,
collection district of, established.....32, 33
to include what 33
collector to be appointed, and port of entry designated..... 33
time of reversion of certain public lands granted to, for aid of railroad from Amboy to Traverse Bay, extended.... 78
when the State may confer the grant upon any other railroad..... 78
those railroads having grants of lands may construct a single line of road for any part of routes..... 79
grant of lands to, for the use of the "Lac La Belle Harbor Improvement Company" for ship canal 80

Michigan, (continued.)
lands, how to be disposed of by 80
additional grant of lands to, for harbor and ship canal at Portage Lake 81
appropriations for Indian service in..278, 514
post-roads established in 7, 283, 552
Michigan Cavalry,
travelling expenses of members of first regiment of..... 322
Michigan City Harbor Company,
amount to be expended by, before public appropriation can be spent..... 73
Michigan City, Indiana,
appropriation for harbor of..... 73
double the amount to be shown to have been expended by Michigan City Harbor Company..... 73
vessels not to be subject to toll 73
former appropriation for harbor at, how to be expended..... 421
double the amount must have been expended by the Michigan City Harbor Company 421
passage of vessels to and from said harbor to be free, and not subject to toll..... 421
Middle Oregons,
appropriations for the.....270, 498
supplemental treaty with the, of November 15, 1865..... 751
certain rights granted by former treaty relinquished 751
the tribes to remain upon their reservation 751
penalty for leaving 751
permits may be granted to go without the bounds of the reservation.....751, 752
violation of terms of permit..... 752
infractions of this treaty to forfeit annuities 752
money to be paid to, for purchase of teams, agricultural implements, seeds, &c..... 752
allotment of land to each head of family. 752
punishment of persons unlawfully furnishing ardent spirits..... 752
ratification, &c. 753
Midshipmen,
entitled to one ration or commutation... 322
number of, that may be appointed to the naval academy..... 517
mode of appointment thereto..... 517
reduction not to affect present appointment or vacancies..... 517
clothing and other necessaries for, may be procured by storekeeper..... 516
regulations therefor to be prescribed by the Secretary of the Navy..... 516
Mileage,
of members of Congress, established 323
how to be computed 323
accounts for, how to be certified 323
of applicants for appointments in the army who have passed their examinations 336
members of previous Congress not to receive, at the additional session, commencing on the day of the adjournment of the previous Congress..... 378
Miles, Jane E.,
pension to..... 594
Military Academy,
appropriations for support of the..58, 59, 415, 416
memorial tablets and mural monuments..... 59
Military Academy, (continued.)
no person who has served in the military or naval service of the so-called Confederate States to be appointed to..... 59
superintendent may be selected, and other officers detailed from any arm of service 92
supervision and charge of, to be in War Department 92
professors and corps of cadets to be part of the military peace establishment.... 332
appointment of cadets to, provisions respecting.....359, 360
cadets at, entitled to the ration now received by acting midshipmen at the naval academy..... 416
pay, &c. of assistant professor of Spanish 416
no part of appropriation to go to cadet from any State declared to be in rebellion appointed after January 1, 1867, until such State is restored, &c..... 416
appropriations for expenses in office of inspector of the 449
resolution relative to the mode of appointments to, repealed..... 487
Military Bands,
number of, how organized and assigned.. 333
at the military academy 333
Military Commissions,
proceedings of, to be revised, &c. by the judge-advocate-general..... 334
Military Districts. See *Rebel States*.
rebel States divided into..... 428
number of, and what States compose each 428
army officer to be assigned to command . 428
to have sufficient military force..... 428
Military Justice,
appropriations for expenses of office of.. 199, 200, 449, 450
Military Peace Establishment. See *Army*.
of the United States, to consist of what . 333
to be known as the army of the United States 333
Military Reservation,
at Fort Gratiot, buildings erected on, by any railroad company to be fire-proof.. 410
of Fort Riley, Kansas, reduced..... 573
lands released granted to Kansas to aid in the construction of a bridge over the Republican river.....573, 574
Military Reserve on Saint Clair River,
use of portion of, granted for horse railroad from Port Huron City to, &c..... 348
rental, and terms and conditions..... 348
Military Road,
from Corvallis to the Acquinna Bay, lands granted to Oregon for..... 86
from Albany, Oregon, to eastern boundary of State, grant of public lands in aid of..... 89
mode of construction of..... 89
to be a public highway, &c..... 89
Military Storekeepers,
number, rank, pay, &c. of..... 334
Military Tribunals. See *Rebel States*.
may be organized in military districts... 428
authority and jurisdiction of..... 428
sentences of..... 428
not to be interfered with under color of State authority..... 428
Militia Forces,
organized or in service in certain rebel States, to be forthwith disbanded, and their further organization prohibited..... 487

Militia, The,
the word "white" stricken out of the acts relating to the militia..... 423
laws relating to, to be published officially in the Army and Navy Journal..... 468
Mineral Lands,
title in fee not granted to any held by possessory titles..... 43
excepted from operation of homestead act 67
of the public domain, surveyed and unsurveyed, declared open to exploration and occupation by all citizens, &c. subject to regulations and local customs, &c. 251
persons, &c. claiming, without opposition, any vein of quartz bearing gold, silver, cinnabar, or copper, having occupied and made expenditures on the same, and filing diagram, may enter the tract and receive a patent therefor..... 252
after filing diagram of claim, certain proceedings to be had before patent issues. 252
notice, survey, payment of $5 per acre and costs of survey..... 252
proceedings where the location and entry of a mine are upon unsurveyed lands.. 252
when surveys are made, lines of, to be adjusted to location and plat, &c. 252
locations of, hereafter not to exceed 200 feet on the vein, and an additional claim to the discoverer, with the right to follow the vein to any depth..... 252
limit to number and extent of locations..... 252
further condition of sale, to be expressed in patent, that local legislatures may enact rules for working mines, involving easements and drainage, &c..... 252
where there are adverse claimants, proceedings to be stayed until right is settled..... 252
President may establish additional land districts, and appoint necessary officers 252
right of way granted for highways over public lands not reserved for public uses 253
owners of vested rights to use of water for mining, &c. to be protected therein.... 253
right of way for canals and ditches acknowledged and confirmed..... 253
damages thereby to be paid..... 253
owners of homesteads made upon lands heretofore designated as mineral, in which no valuable mines of gold, &c. have been found, may pre-empt the same ro take them as homesteads..... 253
upon survey of lands heretofore designated as mineral lands, clearly agricultural, may be set apart, and made subject to pre-emption and sales..... 253
Mineral Waters,
and other beverages, act to protect the manufacturers of the, in the District of Columbia..... 343
Miners,
definition of, and special tax on..... 121
not to apply to those whose receipts as such do not exceed $1,000 annually.. 121
local customs and rules of, in mining districts, recognized so far as not in conflict with the laws of the United States 251, 252, 253
Mining Claims,
possessory rights to certain, in territory added to the State of Nevada, to remain valid..... 43
Minister Resident at Portugal,
no money to be paid to present, for further services in office.....225, 413
this provision to continue in force until repealed by Congress..... 413
Ministers of the United States,
appropriations for the.....224, 412, 413
Ministers Plenipotentiary,
appropriations for..... 224
salaries of those hereafter appointed, to be only those of minister resident, except when, &c..... 226
Minneconjon Indians,
treaty with, of October 10, 1865..... 695
jurisdiction and authority of the United States acknowledged..... 695
persons and property of other tribes not to be first attacked..... 695
controversies between the tribes to be submitted to the President for arbitrament 695
these Indians to withdraw from overland routes through their country, &c..... 696
payments therefor..... 696, 697
individual Indians locating on lands for agricultural, &c. pursuits to be protected..... 696
amendment..... 696, 697
Minneconjons,
appropriations for the..... 273, 508
Minnesota,
term of United States district court in, established at Winona..... 14
term at Mankato abolished..... 14
additional grant of lands to, for railroad from Houston to western boundary of State..... 87
from Hastings to western boundary of State..... 87
if lands have been disposed of, other lands to be selected in lieu thereof..... 87
general provisions as to such lands....87, 88
amendment of former act granting lands to, in aid of railroad from St. Paul to Lake Superior..... 93
if land intended to be granted is deficient, by reason of nearness of boundary line of State, deficiency how may be made up..... 93
lands heretofore granted to, for railroads, how may be certified to and disposed of 97
may select lands in lieu of those disposed of, within limits of former grants..... 97
post-roads established in..7, 189, 284, 552, 553
appropriations for Indian service in..278, 514
for survey of public lands in..... 465
Minors,
over sixteen years of age, may be discharged from the National Soldiers' and Sailors' Orphan Home, at their own request..... 401
Mint,
salary of the director, treasurer, and other officers of, established..... 26
to purchase for the library publications relating to metals and the manipulations thereof..... 469
appropriations for the, at Philadelphia.. 202, 452
Mint and Branches,
appropriations for the.....202, 452
Missing Soldiers,
of the Army of the United States, resolution to provide for expenses of searching for..... 350

Missionaries and Missionary Establishments,
among the Choctaws and Chickasaws, rights of and grants to..... 775
the Creeks..... 790
the Cherokees..... 803
Missionary Society of the Methodist Episcopal Church,
to erect suitable buildings for school and farm purposes on Isabella reservation.. 658, 659
rights, powers, and duties of, as to such school and lands..... 659
Mission Schools,
among the Creeks on North Fork and Arkansas rivers, damages sustained by, to be paid..... 787
Mississippi,
district court for northern district of, to be held at Oxford..... 48
all public lands in, to be disposed of according to homestead law.....66, 67
See *Lands, Public.*
post-road established in..... 190
the insurrection declared to be at an end in 813
act to provide for the more efficient government of..... 428
constituted part of the fourth military district..... 428
See *Rebel States.*
Mississippi River,
location of bridge across, at Rock Island. 75
bridge may be built across at Quincy, Illinois..... 244
at Hannibal, Missouri..... 245
between Prairie du Chien and North McGregor..... 245
between Keokuk and Hamilton..... 245
between Winona and opposite bank of river..... 245
between Dunleith and Dubuque.... 245
between Saint Louis and East Saint Louis.....245, 246
by the Chicago, Burlington, and Quincy Railroad Company..... 245
submerged tubular bridge across, at St. Louis..... 408
Clinton bridge across, made a post-route 412
appropriations for improvements in..420-422
for dredges and snagboats in..... 421
for improving navigation of, at Des Moines..... 420
canal around lower rapids to be free of toll..... 420
Missouri,
certain locations of public lands in, made valid..... 13
to be reimbursed for moneys expended in aiding to suppress the rebellion.....38, 39
commissioners to be appointed..... 38
to be sworn, and their pay..... 39
may have a clerk..... 38
their authority and duty.....38, 39
what items to be allowed and what not.....38, 39
certain amounts to be stated separately..... 39
amount of direct tax to be deducted 39
rate to be allowed for service..... 39
to report to Secretary of Treasury.. 39
appropriation..... 39
grant of lands to, in aid of extension of Iron Mountain Railroad.....83, 84
post-roads established in...190, 283, 284, 553
former grant of lands and right of way to, and Arkansas in aid of the construction of a railroad revived and extended for ten years..... 338
See *Arkansas.*
lands granted for the Cairo and Fulton Railroad to be patented to State when, &c..... 339
act for final adjustment of private land claims in, extended for three years.... 544
Missourias,
appropriations for the..... 261, 504
Missouri River,
bridge may be built across the, at the city of Kansas..... 245
Missouri River Railroad Company,
may purchase lands of the Delawares... 795
Mixed Courts,
under treaty for suppression of slave-trade, appropriations for expenses of.. 23
Mock, Catharine,
widow of William H. Mock, pension to. 622
Modocs,
appropriations for the.....277, 501
Mograin, Charles,
heirs of, may select one section of land, including his improvements..... 689
Molallas,
appropriations for the.....265, 493
Molels,
appropriations for the.....270, 502
Moline Water Company,
Secretary of War may carry into effect the recommendations of the commissioners relative to the, and the water power at Rock Island, Illinois..... 573
"*Money,*"
in law, as to receipts, to include drafts and other instruments given for the payment of money..... 144
Money Order Bureau,
appropriations for the..... 201
Money Order System,
balance of appropriation may be used for 49
appropriations for superintendent of.... 451
Money Orders,
for not over fifty dollars..... 60
charges therefor..... 60
to be good for one year..... 60
duplicate in case of loss..... 60
proceedings to obtain..... 60
Monroe, Matilda I.,
pension to..... 596
Montana and Idaho,
new collection district of, established.... 33
to include what..... 33
collector to be appointed, and port of entry designated..... 33
Montana Land District. See *Montana Territory.*
established.....542, 543
Montana Territory,
appropriations for Territory of.....204, 455
for Indian service in.....279, 512
post-roads established in.....190, 287, 288
net proceeds of internal revenue of, for three years to be applied to erection of penitentiaries in..... 377
limit of amount to be expended..... 377
at what places to be erected..... 377
jurisdiction of probate courts in, extended to certain civil and criminal cases..... 426
but not to certain other cases..... 426
appeals allowed..... 426
salary of chief justice and associate justices..... 426

Montana Territory, (continued.)
judges of Supreme Court to define judicial districts, assign judges, and appoint the times and places of holding the courts..... 426
not less than two terms a year at each place..... 426
legislative functions of, adjudged to have lapsed, revived..... 426
proceedings to revive..... 426
certain former acts of assembly of, declared null..... 427
claims of vested rights thereunder, may be made..... 427
certain legislation in, not to be valid, until, &c..... 427
surveyor-general of, authorized..... 542
appointment, salary, duties..... 542
clerk hire, office rent, &c..... 542
location of office in..... 543
certain public lands in, to constitute the Montana land district.....542, 543
register and receiver in, authorized.. 543
duties and compensation..... 543
location of offices of..... 543
Monuments,
of stone not exempt from taxation..... 475
Moore, Virginia K. V.,
pension to..... 582
Morean, John,
pension to..... 620
Morehead City,
may be made port of entry of Beaufort collection district..... 411
Morocco,
convention between the United States and other powers, and the Sultan of, May 31, 1865..... 679
the direction of the lighthouse at Cape Spartel to devolve upon the representatives of the contracting powers..... 680
the expenses of management to be borne by the same parties..... 680
the Sultan to take his share, should he have a naval or commercial marine... 680
to be at the expense of repairs and of reconstruction, if necessary..... 680
to furnish a guard for the security of the lighthouse..... 680
the contracting powers to respect the neutrality of the lighthouse, and to continue the contributions to support it, even in case of war..... 680
to establish the necessary regulations for the service and superintendence of the lighthouse..... 680
these articles not to be modified, except by common agreement between the contracting powers..... 680
this convention to continue in force ten years..... 681
to be continued further from year to year until due notice, &c..... 681
ratifications to be exchanged at Tangier. 681
Morris, Joseph R.,
patent for a new and useful improvement in furnaces may issue to..... 645
rights of those actually using the patent, preserved..... 645
Mortgages,
tax on assignments or transfers of....144, 145
of personal property made in good faith as security for debts not affected by assignment in bankruptcy..... 523
Mortgages, (continued.
may be redeemed or discharged by assignee..... 523
See *Bankruptcy*.
Mound City, Illinois,
construction of levee at..... 37
Munich,
salary of consul at, established at $ 1,500 414
Mural Monuments,
appropriation to erect, at the military academy..... 59
Mural Tablets,
appropriation to erect at the naval academy..... 37
Murray, Cordelia,
pension to..... 588
Museums, Proprietors of,
definition of, and special tax on..... 120
Mutual Fire Insurance Company of the District of Columbia,
charter of, amended..... 32

N.

Nanson, Ober, & Co.,
amount of certain compound interest notes, supposed to be lost, to be paid to, with interest.....640, 641
bond of indemnity to be first given. 641
Nantes,
pay of consul at, established..... 225
Naphtha,
exempt from tax, when, &c..... 127
the mixing of, with illuminating oils for sale how punished..... 484
selling or keeping for sale such mixture..... 484
Nash, Betsey,
payment to the legal representatives of.. 586
National Armory, Springfield,
repairs, improvements, and new machinery at..... 91
storekeeper and paymasters at, rank, pay, &c. of..... 335
National Association for Relief of Destitute Colored Women and Children,
appropriation for..... 317
National Asylum for Disabled Volunteer Soldiers,
board of managers of, established..... 10
to make annual report..... 11
managers of, appointed..... 353
powers, seal, by-laws, &c..... 10
business of, to be managed by board of directors..... 10
president and other officers, quorum, &c. 10
their residence, mode of selection, and term of office..... 10
new elections and vacancies..... 10
members as such not to be paid, except for expenses..... 10
may procure sites for asylums and erect buildings..... 10
appropriations for support of.....10, 11
donations may be received..... 11
officers of asylum, their appointment, removal, &c..... 11
annual report, accounts, &c..... 11
who entitled to benefits of asylum, and how admitted..... 11
inmates subject to rules and articles of war 11
out-door relief in certain cases..... 11
cost thereof not to exceed, &c..... 11
repeal of law establishing a naval asylum in connection with this..... 11

National Asylum for Disabled Volunteer Soldiers, (continued.)
property of the United States at Point Lookout, Maryland, to belong to the asylum, when, &c. 11
act establishing, may be altered, &c. 11
certain property of the United States may be transferred to the 564
Erastus B. Wolcott and John S. Cavender, appointed manager of, to fill vacancies 563
National Banking Associations,
may hold temporary loan certificates issued for redemption of compound-interest notes as part of their reserve 558
two fifths of reserve of, to be lawful money 558
excess of duties or tax paid by, to be refunded 572
National Banks,
not taxed by section 110 internal revenue law as amended 137
National Capitol Insurance Company,
act to incorporate the 556
corporate powers 556
may make insurance upon lives and against accidents 556
directors, by-laws 556
annual and other meetings 556
proxies, vacancies 556
President and other officers 556
funds how to be invested 557
stockholders not personally liable beyond amount of stock subscribed and undivided profits 557
suits to collect assessments upon stock 557
executive committee to exercise all the powers vested in the company, when, &c. 557
capital, amount of, and to be paid in before effecting insurance 557
dividends, capital stock not to be impaired by 557
location of company, agencies 557
annual report 557
statement of profits, losses, &c. to be published 557
National Cemeteries,
appropriations to purchase sites for 310
superintendent to each 333
for the burial of deceased soldiers and sailors, and to establish and protect 399
to be enclosed with substantial fence 399
graves to be marked, and how 399
register of burials to be kept, and to set forth what 399
porter's lodge to be erected at principal entrance of each 400
superintendent, how selected, pay, &c. 400
an officer to be detailed to inspect cemeteries annually and make reports 400
reports to be submitted to Congress with estimates 400
penalty for wilfully defacing, removing, &c. any structure, or injuring, &c. any shrub, &c. in any national cemetery 400
prosecution to be made, where 400
superintendent may arrest any persons committing any such act, take them before certain magistrates and there make complaint 400
Secretary of War may purchase or take any real estate necessary for national cemeteries 400
proceedings where real estate is entered upon and appropriated 400
National Cemeteries, (continued.)
fee simple thereof, upon payment therefor, to be vested in the United States 400, 401
jurisdiction of the United States over such real estate to be exclusive 401
owners to be paid the appraised value 401
appropriation under this act 401
National Currency,
appropriation for plates, printing, &c. and paper for notes 25
no portrait of any living person to be placed thereon 25
National Fair,
for Soldiers' and Sailors' Orphan Home, use of lumber granted to, &c. 356
National Home for Soldiers' and Sailors' Orphans,
blankets, bedding, and stores in surgeon-general's department, not needed for government use, may be transferred to Secretary of War to determine amount and character of stores to be given 351
National Safe Deposit Company of Washington,
incorporated 378
seal and powers 378
capital stock and subscriptions thereto 378, 379
how to be invested 379
directors, choice, and number of 379
vacancies in, how filled 379
President and Vice-President 379
powers, duties, and privileges of 379
by-laws, dividends, &c. 379
not to issue or circulate bills of its own as currency 379
nor pay interest on deposits 379
operations to be confined to the District of Columbia 379
National Soldiers' and Sailors' Orphan Home,
act of incorporation of 247, 248
act of incorporation of, amended 401
board of trustees of, their number, duties and powers 401
quorum, vacancies 401
board of lady managers, election, number, term of office, powers and duties 401
vacancies, by-laws, &c. 401
parents or guardians may withdraw children 401
minors, over sixteen years of age, may be discharged at their own request 401
repeal of inconsistent provisions 401
National Theological Institute,
incorporated 45
its purposes and powers 45
officers, by-laws, and property 45
theological belief not to exclude from 45
name of, changed to that of "The National Theological Institute and University". 440
may hold property not exceeding $250,000 in value 440
may extend its instructions to others than those connected with the Christian Ministry, confer degrees, &c. 440
Nautical Almanac, American,
appropriations for 37, 490
Nautical Books,
to be published and furnished at cost 67
Navajos,
appropriations for the 279 514
no supplies or rations to be furnished to, after July 1, 1867, except in cases of extreme necessity 514

Naval Academy,
appropriations for expenses of....26, 37, 490
visitors at..... 490
for purchase of land, and erection of buildings, shops, &c. at..... 37
for increase of library..... 37
for enlargement of chapel and erection of mural tablets..... 37
examination of candidates for, when to be had..... 39
no person who has served in the military or naval service of the so-called Confederate States to be appointed to..... 59
appropriation to introduce water into the 201
appropriation for chapel..... 311
number of midshipmen that may be appointed to the..... 517
reduction not to affect present appointment or vacancies..... 517
storekeeper at the, how to be detailed... 516
may procure clothing, &c. for midshipmen..... 516
regulations therefor to be prescribed by the Secretary of the Navy..... 516
Naval Asylum,
law establishing in connection with a military asylum, repealed..... 11
appropriations for.....37, 490
certain disabled persons, in lieu of having a home provided for them at, to receive from naval pension fund a sum equal to half the pay of their rating when discharged..... 516
Naval Constructors,
appointment, rank, and pay of..... 223
Naval Hospitals,
appropriations for the, at
Annapolis..... 36
Boston..... 491
New York..... 491
Philadelphia..... 491
Washington..... 491
Norfolk..... 491
Mare Island..... 491
Naval Judge-Advocate-General,
appropriations for the..... 450
Naval Laboratory,
appropriations for..... 489
Naval Observatory,
appropriations for.....37, 490
Naval Officer,
office of, and of subordinate offices, may be suspended, except, &c. and duties asigned to deputy collector or inspector..... 185
fines, &c. incurring to, after such discontinuance to be paid into the treasury.. 185
Naval Officers. See *Fines, &c.*
share of proceeds of fines, penalties, &c. from seizures under customs laws..... 546, 547
Naval Pension Fund,
certain disabled persons to receive from the, a sum equal to half the pay of their rating when discharged, in lieu of having a home provided for them at the Naval Asylum..... 516
other disabled persons, serving for not less than ten years, &c. may apply for aid from the surplus income of..... 516
Secretary of Navy to appoint a board to examine applicants.... 517
limit of allowance..... 517
Naval Stations,
appropriations for, at Sackett's Harbor and Mound City..... 490
Naval Storekeepers,
pay of clerks to, increased twenty-five per cent..... 345
when required at navy-yards, how to be appointed..... 490
Naval Volunteer Service,
appointments from, to certain grades of line officers in the navy..... 222
board for examination of candidates.... 222
who may apply for examination....222, 223
provision for those at sea, or on foreign stations..... 223
President may retain or appoint volunteer officers in the navy..... 223
Navigation Apparatus and Supplies,
appropriation for..... 33
Navigation, Bureau of,
appropriations for 34, 200, 201, 450, 451, 490
additional clerks in, authorized..... 207
Navigation Laws,
to apply to all vessels, except, &c..... 228
of the United States, what vessels subject to..... 411
sea-going steam vessels subject to, when under way, except upon the high seas, to be under the direction of pilots..... 412
certain existing regulations under State laws not affected..... 412
Navy,
appropriation for, for the years ending June 30, 1867 and 1868....33, 38, 489, 490
pay of officers, seamen, and engineer corps.....33, 489
bounties to discharged seamen..... 33
equipment, surgeons, necessaries, &c..... 33
navigation apparatus and supplies..... 33
contingent expenses..... 33
bureau of yards and docks.....33, 489
of equipment and recruiting.....34, 490
of navigation.....34, 490
of medicine and surgery.....34, 491
of construction and repair..... 491
of steam engineering 491
of provisions and clothing..... 491
marine corps.....34, 491, 492
navy-yards.....34, 36, 489, 490
naval hospitals.....36, 491
naval laboratory 489
miscellaneous.....36, 37
civil establishment at navy-yards 36, 490, 491
pay of clerks at Portsmouth and Philadelphia..... 36
testing petroleum as fuel..... 37
levee at Mound City..... 37
naval academy.....37, 490
expenses of visitors at..... 490
naval observatory..... 37, 490
naval asylum..... 37, 490
bounties for destruction of enemies' vessels..... 37
no part of appropriation to be paid to those who do not take the oath..... 37
allowance to officers for rent of quarters, furniture, fuel, lights, and transporting baggage, prohibition of, repealed..... 38
acts authorizing the appointment of navy agents repealed..... 38
examinations of candidates for naval academy, when to be held..... 38
office of assistant in bureau of ordnance abolished..... 38

Navy, (continued.)
no vacancy in grade of professor of mathematics to be filled.... 38
survey of Behring's Straits, the North Pacific, and the China seas.... 38
transfer of appropriations to settle accounts of disbursing officers.... 38
act for better organization of pay department of.... 43
appointment of an additional assistant secretary of, authorized.... 54
to last for six months.... 54
act to define the number and regulate the appointment of officers in.... 222
number allowed in each grade of line officers on the active list.... 222
increase in grades, how made.... 222
who may be promoted to grade of rear-admiral on retired list.... 222
certain line officers on active list may be appointed from the volunteer naval service.... 222
if, thereby, the number in any grade exceeds that allowed by law, no appointments to be made, until, &c.. 222
authority exhausted when appointments are once made.... 222
board for examination of candidates from naval volunteer service.... 222
report and selections.... 222
what volunteer naval officers may appear before....222, 223
provision if they are at sea or in foreign stations.... 223
Secretary of Navy may retain or appoint volunteer officers in the navy.... 223
lieutenant-commanders may be assigned to what duty.... 223
pay of admiral of the navy.... 223
his secretary and his pay.... 223
naval constructors and first and second assistant engineers in the navy, appointment, rank, and pay of.... 223
nothing in, to preclude the advancement in rank now authorized for distinguished conduct in battle or extraordinary heroism.... 222
midshipmen and acting midshipmen entitled to one ration or commutation.... 322
promotions on the active list in, provisions concerning.... 344
pay of navy officers on retired list and not on duty.... 345
pay of certain clerks in, increased twenty-five per cent.... 345
disbursing officers of the, to be allowed credits for such losses of property as shall, &c.... 345
gift of land, offered by the State of Connecticut, in the Thames River, near New London, to be accepted and held for naval purposes.... 489
civil engineers and naval storekeepers at navy-yards to be appointed by President with advice, &c. of senate.... 490
master mechanics at yards to be skilled in their business and appointed from civil life.... 490
workingmen at navy-yards not to be required or requested to pay money for political purposes by any officer or employee of the government.... 492
not to be discharged for their political opinions.... 492

Navy, (continued.)
penalty upon officers and employees for violation hereof.... 492
collection of facts to illustrate the history of the navy.... 490
Secretary of Navy to effect a further exchange of lands in Wallabout Bay with the city of Brooklyn, N. Y.... 492
title to be approved and exchange effected without expenditure by the United States.... 492
laws relating to, to be published officially in the Army and Navy Journal.... 468
act to amend certain acts in relation to the.... 515
admiral to be the ranking officer of the.. 515, 516
secretary of, rank, pay, and allowances of.... 516
cadet engineers, restrictions as to age and certain qualifications when appointed removed.... 516
officers of volunteer naval service, transferred to regular navy or marine corps, to be credited with their sea service... 516
marine officers to be credited with the time of their service in the volunteer service.... 516
storekeeper at naval academy, how to be detached.... 516
may procure clothing, &c. for midshipmen.... 516
Secretary of the Navy to prescribe regulations.... 516
summary courts-martial on petty officers and officers of inferior ratings, authority to sentence, &c.... 516
when sentence of, involves loss of pay, not to be executed without approval of Secretary of the Navy 516
disabled persons who have served as enlisted persons in the navy or marine corps for twenty years, to receive from naval pension fund half of their rating when discharged, in lieu of being provided with a home in the naval asylum 516
how and by whom to be paid.... 516
such persons so serving not less than ten years, &c. may apply for aid from surplus income of naval pension fund.... 516
Secretary of Navy to convene a board to examine applicants.....516, 517
board, how constituted, and duties of 517
limit of allowance.... 517
rank and pay of commandant of marine corps.... 517
number of midshipmen allowed at the naval academy.... 517
reduction not to affect present appointments or vacancies.... 517
promotion of officers on the retired and reserved lists.... 517
then to receive full pay.... 517
none to grade of rear-admiral, while, &c.... 517

Navy Agents,
acts authorizing the appointment of, repealed.... 38

Navy Department. See *Hydrographic Office*.
act establishing a hydrographic office in. 69
appropriations for the.....200, 450, 451
may use plates of United States exploring expedition for printing charts..... 366

Navy Hospital at Washington, D. C.,
appropriation for..... 325
Navy Officers,
allowance to, for loss of personal effects by casualty, &c..... 14
Navy Pensions,
appropriations for.....2, 3, 398
Navy-Yard,
at Philadelphia, to be disposed of, if League Island is accepted..... 396
Navy-Yards,
appropriations for, at Portsmouth.34, 35, 489
purchase of Seavey's Island..... 35
conditions of purchase..... 35
if island cannot be bought for sum appropriated, public use of bridge from the island to navy-yard to be discontinued..... 35
at Boston.....35, 489
at New York.....35, 489
at Philadelphia.....35, 489
at Mare Island.....36, 489
at Norfolk..... 35
at Pensacola.....36, 489
at Washington..... 489
pay of clerks of, increased twenty-five per cent..... 345
Neat Cattle,
importation of, and of hides of, prohibited 1, 3
when and how act may be suspended.... 244
penalty for violation..... 4
Nebraska Territory,
appropriations for government of....204, 454
post-roads established in.....7, 287
claims of, for expenses in suppression of Indian hostilities to be examined, allowed, and paid..... 307, 308
principle of settlement..... 308
appropriation therefor..... 303
net proceeds of internal revenue of, for three years to be applied to erection of penitentiary in..... 377
limit of amount to be expended.... 377
at what places to be erected..... 377
Nebraska,
act for admission of State of into the Union 391
declared to be one of the United States 391, 392
entitled to the privileges and subject to the conditions of the enabling act 392
fundamental conditions on which this act takes effect..... 392
elective franchise, &c. not be denied on account of race or color, except, &c..... 392
assent of State to be declared and transmitted to the President..... 392
President to proclaim the fact..... 392
admission then to be complete..... 392
State legislature to be convened within thirty days..... 392
admission of the State of, into the Union declared complete.....Appx. iv.
geological survey of..... 470
how to be prosecuted..... 470
post-routes established in..... 553
surveys of public lands in 465
Nebraska and Iowa,
constituted one surveying district..... 344
Negro,
the carrying away of a, to sell as a slave, how punished..... 50
the receiving on board a vessel, to carry away for such purpose, how punished.. 50
vessel to be forfeited..... 50
Negroes,
rights of, among the Choctaws and Chickasaws.....769, 778
may be witnesses.....770, 779
Nelson, William D.,
payment to, for recruiting for the Union army in East Tennessee..... 639
Nethaway, David,
accounts of, to be settled..... 579
Nethaway, Jane W.,
pension to..... 579
Neutrality Act,
appropriation for expenses under the.226, 415
Neutrality Laws,
proclamation of the President warning against violation of the..... 813
Nevada,
post-roads established in.....7, 190, 287, 553
additions to the territory of..... 43
boundaries..... 43
not to become part of the State without its assent..... 43
possessory rights to mining claims to remain valid..... 43
title in fee not granted..... 43
appropriation by, of lands granted to the State for educational purposes confirmed..... 85
grant of lands to, for a university..... 85
for an agricultural college..... 85
theory and practice of mining may be taught therein..... 85
surveyor-general authorized for.....85, 86
location of office of..... 86
pay, duties, and allowances..... 86
lines of subdivisions of public lands, in extending surveys, may be varied from rectangular..... 86
lands containing gold, silver, quicksilver, and copper, reserved from sale..... 86
public lands in, not to be disposed of until the State has her full quota..... 86
how to select and dispose of public lands..... 86
city and town property not subject to selection..... 86
escutcheon of, to be painted..... 314
payment of certain claims against the late territory of..... 366
appropriations for Indian service in 279, 326, 512
payment of travelling expenses of certain volunteers of..... 487
surveys of public lands in..... 465
Nevins, Albert,
pension to..... 582
Newbern,
made port of entry of Pamlico district.. 411
New Brunswick,
the province of, to pay one half the sum actually expended for improving the navigation of the St. Croix river above the ledge..... 420
Newell, Robert,
land patent to issue to..... 651
New Jersey,
post-road established in..... 287
adjutant-general of, may send free through the mails certificates of thanks awarded to the soldiers of that State..... 371
New Mexico Territory,
survey of part of northern boundary of.. 466
examination and report on public buildings in, with estimates..... 467

New Mexico Territory, (continued.)
appropriations for Indian service in 278, 279, 512
post-routes established in..... 553
appropriation for government in ... 203, 204, 454
peonage abolished in..... 546
New Orleans,
appropriation to pay for building for federal courts in..... 199
pay of appraisers, general and local, deputy collectors, naval officers, and surveyors, and custom-house weighers at, established..... 308
Newspapers,
appropriations for.....191, 193, 441, 443
Newspapers, American,
purchase of files of, for congressional library..... 194
Newspapers, Reading,
appropriation for purchasing files of, for the Congressional library..... 443
New York,
appropriation for navy-yard and hospital at.....35, 36
for laboratory..... 36
post-roads established in.....7, 189, 281, 554
pay of deputy collectors, naval officers, and surveyors, and custom-house weighers at, established..... 308
New York City,
resolution relating to the courts and post office of..... 356
New York Indians,
appropriations for the.....258, 494
Nez Perces,
appropriations for the 267, 269, 503, 504
Nez Perce Tribe of Indians,
treaty between the United States and, of June 9, 1863.....647–654
cession of lands to the United States.... 647
reservation, and its boundaries.....647, 648
to be for sole use of tribe..... 648
improvements on lands added, to be paid for..... 648
may be sold to loyal whites..... 648
boundary lines to be marked, and lands surveyed into lots..... 648
heads of families may locate on lots..... 648
residue to be held in common..... 649
lots to be exempt from levy, taxes, &c... 649
restrictions got to be removed by territorial or State legislature without consent of Congress..... 649
payments by the United States to the tribe.....649, 650
tribe to elect one head chief and two subordinates..... 650
payment to chief Timothy..... 650
claims of members of tribe for services and for horses, to be paid..... 650
the authority, &c. of the United States acknowledged 651
provisions as to roads and highways 651
hotels and stage stands..... 651
ferries and bridges..... 651
timber..... 651
springs or fountains..... 652
Robert Newell to receive a patent for a tract of land..... 651
Nice,
pay of consul at, established..... 225
Nicholson, James,
may select eighty acres of land, &c..... 659
Nisquallys,
appropriations for the 261, 502, 503
Nitro Glycerine,
delivery of, on shipboard, transportation, &c. of, forbidden..... 81
if death is caused by explosion while transported, &c. persons knowingly concerned therein to be guilty of manslaughter.....81, 82
when carried, how to be packed and marked 82
rights of States to prohibit traffic in, or transportation not affected..... 82
district courts to have jurisdiction of these offences 82
Nitroleum. See *Nitro Glycerine*.
or blasting oil, transportation, &c. of, forbidden..... 81
Nock, Joseph,
claim of, referred to the court of claims.. 608
limit of amount of judgment..... 608
Non-commissioned Officers,
increased pay of, continued for three years from, &c..... 422
Non-residents,
certain income of, to be taxable..... 5
in the District of Columbia, not to commence suits before justices of the peace therein, without first giving security for costs 402
Norfolk,
appropriations for navy-yard and hospital at.....35, 36
Norris, Samuel,
claim of, referred to the court of claims. 608
rule for determining the amount to be paid 608
North Carolina,
post-routes established in..... 554
four collection districts established in.... 411
Albermarle, port of entry Plymouth 411
Pamlico, port of entry at Newbern.. 411
Beaufort, port of entry at Beaufort.. 411
port of entry may be changed to Morehead city..... 411
Wilmington, port of entry at Wilmington..... 411
collectors, appointment, residence, and salary..... 411
act to provide for the more efficient government of..... 428
constituted part of the second military district..... 428
See *Rebel States*.
the insurrection to be declared at an end in 813
Northeast Executive Building,
appropriations for general purposes of... 194
contingent expenses of..... 315
Northwest Executive Building,
appropriations for expenses of.....200, 450
Northern Kansas Railroad and Telegraph,
act granting lands to Kansas to aid in the construction of..... 210
Northern Pacific Railroad,
time for commencing and completing the, and all its several sections, extended.. 355
North Pacific Ocean,
survey of..... 38
Notices. See *Advertisements*.
by executive departments of the government, &c. in what newspapers in the District of Columbia to be published 467

Numbering,
of vessels enrolled, registered and licensed, system of, may be established..... 331
numbers, how to be marked..... 331
vessel ceasing to be numbered, ceases to be a vessel of the United States..... 331
Nye, James W.,
appropriation for payment to..... 326

O.

Oath,
no part of navy appropriation to be paid to those who do not take the oath..... 37
of attorney to receive money for pensions 56
false swearing therein to be perjury..... 57
chief clerk of assessor may administer certain, under the internal revenue law 103
of registers in bankruptcy..... 518
of bankrupt on filing petition..... 521
of creditors in proving claims..... 527
the word in the bankruptcy act, to include "affirmation"..... 540
Ober, Nanson, & Co.,
to be paid amount of certain compound-interest notes supposed to be lost, with interest.....640, 641
bond of indemnity to be first given. 641
O'Brien, Kennedy,
pension of, increased..... 622
Observatory, Naval,
appropriations for..... 37
O'Carroll, James Y.,
right of the United States in certain public lands conveyed to..... 13
Ocean Mail Steamship Service. See *Mail Steamship Service.*
between San Francisco and Portland, authorized..... 566
cost not to exceed $25,000..... 566
bids and contracts therefor..... 566
authorized monthly between San Francisco and Honolulu..... 543
Offences. See *Jurisdiction, Penalty.*
begun in one judicial district and completed in another, to be deemed to be committed in either, and may be tried in either..... 484
Office Rent
for consuls, consuls-general, and commercial agents who are not allowed to trade. 224, 413
Officers,
in military and naval service not to be dismissed in time of peace, except, &c. 92
former law repealed..... 92
allowance to army, for travel, increased..... 93
and persons acting under them, protected for acts done in execution of the laws for the collection of abandoned property, &c..... 329
amounts recovered in suits against, to be paid out of proceeds of sales and leases, &c.....329, 330
in the District of Columbia, using unnecessary and wanton severity in making arrests, to be punished for assault and battery..... 402
Officers of Volunteers,
three months' pay to certain, mustered out, &c. after, &c..... 94
officers of colored troops to be deemed to be..... 337
Officers of Volunteers, (continued.)
officers of regular army, who have held commissions as, or have commanded volunteers, not to be deemed..... 337
to bear their titles and wear their uniforms upon occasions of ceremony.... 337
Official History of the Rebellion,
resolution to provide for the publication of the..... 369
certain official documents to be arranged and prepared for publication..... 369
plan and estimates of cost..... 369
pay of person doing the service.... 369
Official Reports of the Armies of the United States,
resolution providing for the printing of the, repealed..... 369
O'Gallala Indians,
treaty with, of October 28, 1865..... 747
jurisdiction and authority of the United States acknowledged..... 747
persons and property of other tribes not to be first attacked..... 747
controversies to be submitted to the arbitrament of the President..... 747
Indians to withdraw from overland routes 748
annuities to, for twenty years.....748, 749
individual Indians locating on lands to be protected..... 748
twenty families or lodges, locating on lands for agricultural purposes, to receive a sum annually for tools..... 748
teachers, farmer, and blacksmith..... 748
amendments to treaty to be binding..... 748
ratification with amendments..... 749
O'Gallalas,
appropriations for the..... 274, 508
Ogdensburgh and Lake Champlain Railroad Company,
may maintain railroad bridge at Rouse's Point..... 51
draws therein to be made..... 51
Ohio,
post-roads established in.....7, 282, 554
adjutant-general of, may send certain medals through the mails free to veteran soldiers of that State..... 356
Ohio Volunteer Militia,
officers and men of the sixth, eighth, and eleventh regiments of, to be paid for not over thirty-one days' service..... 90
Captain S. W. Bard's company of cavalry..... 90
Captain August Paulsen's battery.. 90
Oil,
selling, &c. certain made from petroleum for illuminating purposes how punished 482
Oil-Cloths,
duty on imported..... 562
Oklahoma, Territory of
executive, secretary, marshal, &c. of.... 773
Omaha Indians,
treaty with, of March 6, 1865..... 667
cession of northerly part of present reservation to the United States..... 667
boundaries..... 667
certain lands not included..... 667
payment to them for lands, and how to be expended..... 667
article eight of former treaty extended for ten years..... 668
payment to, for damages..... 668
remainder of present reservation to be divided among the members of the tribe in severalty..... 668

Omaha Indians, (continued.)
how assigned 668
portion set apart for agency..... 668
certificates to be issued for tracts assigned 668
tracts not to be alienated, leased, &c. except, &c. 668
whole to be known as Omaha reservation 668
whites not to reside or go thereon, unless, &c..... 668
object of United States in making the purchase 668
land may be repurchased upon same terms as this sale, if, &c..... 668
Omaha Reservation,
what lands to be known as, and regulations concerning..... 668
Omahas,
appropriation for the.....261, 276, 504
Onk-pah-poh Indians,
appropriations for the.....274, 508
treaty with, of October 20, 1865..... 739
authority and jurisdiction of the United States acknowledged..... 739
persons and property of other tribes not to be first attacked..... 739
controversies to be submitted to the arbitrament of the President 739
Indians to withdraw from overland routes, &c.....739, 740
annuities to, for twenty years...739, 740, 741
individual Indians locating on lands to be protected 740
twenty lodges or families locating upon lands for agricultural purposes, to receive a sum annually for tools, &c..... 740
teachers, farmer and blacksmith..... 740
amendments to be binding..... 740
ratification with amendment..... 741
"Onondaga," The Iron-clad,
may be transferred to George Quintard, upon, &c. 543
Opium,
importation of, into Japan prohibited ... 655
Ordnance,
appropriations for office of colonel of, 199, 200, 486
for bureau of.....200, 201, 450, 451
additional clerks in..... 207
salary of draughtsman in bureau of, established 450
test of effect of heaviest, against the best stone forts.....488, 489
Ordnance Department,
of the army, hereafter to consist of, &c... 335
officers of, to be of what grades..... 335
ordnance storekeepers..... 335
storekeeper and paymasters at national armory at Springfield..... 335
Ordnance Sergeant,
at each military post..... 333
Ordnance Service,
appropriations for current expenses of the 486
Ordnance Storekeeper and Paymaster,
at Springfield armory, rank, pay, and allowances of..... 423
Oregon,
additional land district in, established... 82
boundaries and location of office of.....82, 83
register and receiver to be appointed for 83
Oregon, (continued.)
boundaries of any land districts in, may be changed from time to time 83
grant of lands to, for a military road from Corvallis to the Acquinna Bay.. 86
how to be disposed of..... 86
public lands granted to, in aid of a military road from Albany to eastern boundary of State..... 89
how to be selected and disposed of.. 89
to revert to the United States, if, &c. 89
post-roads established in.....8, 190, 287, 554
appropriations for Indian service in.... 278, 279, 512, 513
deficiency in former land grant caused by lands sold or reserved made up to 374
lands how to be selected.....374, 375
lands granted to, for construction of military wagon road from Dalles City to Fort Boise 409
extent of grant..... 409
lands granted, how to be applied 409
former reservations excepted from operation of this act..... 409
right of way over them..... 409
mineral lands not included in grant..... 409
lands granted, how to be disposed of and applied 409
to be surveyed 409
those unsold to revert to United States, unless the road is completed within five years 409
road, how to be constructed..... 409
to be a public highway, and free to the United States 409
additional public lands may be used in the location and construction of road..... 409
survey of boundary between, and California 465
boundary between, and Idaho..... 466
appropriations for Indian service in, in 1860-62..... 468
payments only to original owner of claims 468
for surveys of public lands in 465
Oregon Company. See *California and Oregon Railroad Company.*
to construct a road from Portland to Central Pacific Railroad in California.....239, 241
Orphan Brothers and Sisters,
when may receive pensions 58
Orphan Children (Minors),
of deceased soldiers or sailors, may be taken care of, by the National Soldiers' and Sailors' Orphan Home 247, 248
Orphans' Court in the District of Columbia,
appropriations for judge of 205
rooms to be provided for 317, 318
Osages,
appropriations for the.....261, 504
Osages, Great and Little,
treaty with, of September 29, 1865..687-693
sale of lands to the United States 687
boundaries 687
payment for the lands by the United States 687
money to be placed to their credit and interest paid 687
lands to be surveyed and sold 687
proceeds of sales 687, 688
cession by, of other lands to the United States to be held in trust..... 688
lands to be surveyed and sold..... 688

Osages, Great and Little, (continued.)
proceeds to be placed to credit of the Indians, and interest expended for their benefit 688
school fund and land for school purposes 688, 689
one section to John Schoenmaker, with privilege to him to purchase two sections adjoining 688
John Schoenmaker may select one section for purposes of education 689
certain loyal persons, heads of families, may buy a quarter-section each 688
how to be selected, and to include what 688
claims of James N. Coffey and A. B. Canville to be paid 688, 689
heirs of Charles Mograin may select a section of land 689
annual payment to the chiefs 689
patent to Darius Rogers for 160 acres, and he may purchase a quarter-section adjoining 689
dependence on the United States acknowledged 689
introduction and use of ardent spirits to be suppressed 689
right of way for highways and railroads through their reservations 689
to remove from ceded lands, within six months of ratification of treaty 689
the United States to advance the expenses of the survey and sale, and to be reimbursed from the proceeds of first sales 689
patents to issue to certain half-breeds for eighty acres of land with their improvements 690
may unite with certain other Indians and receive proportion of annuities 690
if they remove from Kansas, their diminished reservation to be sold, and proceeds how applied 690
rejection of some articles of the treaty not to affect others 690
ratification advised with amendments 692
amendments assented to 692, 693
Ottawas,
appropriations for the 270, 504
payment to certain 370
annuity of, to be restored 370
certain, may select lands upon the Isabella reservation of the Chippewas 658
Ottoes,
appropriations for the 261, 504
"Outstanding Liabilities" Account,
in the books of the treasury, provision for, and to include what 41, 42
Overland Mail,
appropriation for, between Atchison and Folsom 49
between the Missouri River and Folsom 394
Oxford,
collection district of, abolished, and office of collector of, discontinued 410
annexed to district of Baltimore 410

P.

Pacific Coast,
for military supplies for articles to be used in States and Territories on, preference to be given to articles of American manufacture, &c. produced on that coast 92
appropriation for survey, &c. of public works on 418
See *Public Works.*
Pacific Ocean,
surveys, &c. in, to be made 38
Pacific Railroad,
routes, or route of, to be included in the proposed geological and topographical exploration of the territory between the Rocky Mountains and the Sierra Nevada 457
Packages, &c.
number of, from every invoice, to be sent to appraiser's office for examination, &c. 302
containing, or supposed to contain, distilled spirits, may be seized by, &c. when, &c. and be detained 482
persons drawing articles subject to tax from those marked, to efface marks ... 482
penalty for not doing, fine and forfeiture 482
Page, Jerusha,
widow of Thomas C. Page, pension to .. 623
Pamlico,
collection district of, established 411
boundaries and port of entry of 411
Pamphlet Laws,
appropriations for publishing 19, 194, 444
Paper for Public Printing,
appropriations for 193, 373, 443
deficiency, appropriation for 41
provisions for supply of the 305, 306
to be obtained by contract 305
mode of advertising for proposals, and awarding and requiring the performance of contracts 305, 306
when may be purchased in open market. 306
Paraffine Oil,
exempted from internal duty 355
Pardon,
authority of the President to proclaim, repealed 377
the granting of, not to authorize payments to persons not known to have been opposed to the rebellion, &c 571
Pardons
of convicts by foreign governments, on condition of emigration to the United States, protest against 353
Pardons, Clerk of,
for the President, authorized 207
in the Department of State, pay of, for extraordinary services of 466
appropriation 466
Paris Exposition,
specimens of the cereal productions of the United States to be prepared and forwarded for exhibition at 563
Parkins, Joseph,
payment to, in satisfaction of claims under contract 609
Partnerships. See *Bankruptcy.*
provisions concerning the bankruptcy of 534, 535, 536
act authorizing limited, in the District of Columbia 435
See *Limited Partnerships.*
Passage Tickets,
stamp duty on, not to apply to vessels between United States and British North America 475

Passed Assistant Paymasters in the Navy,
number of, on active list..... 43
mode of appointment or selection of...43, 70
bonds and pay..... 43
examination of those on duty abroad waived..... 70
to be made after their return home 70
Passengers,
act to provide for safety of lives of, on board vessels propelled in whole or in part by steam..... 227
licensed engineers or pilots wrongfully refusing to serve as such, or pilots refusing to admit certain persons into pilot-house, to forfeit $300..... 227
their licenses to be revoked..... 227
construction of steamboat boilers, regulations concerning..... 227
maximum working pressure of boiler.... 227
safety-valves on boilers of steamers..... 227
how loaded and secured..... 227
alloyed metals on flues of boilers to be fusible, and at what temperature..... 227
water-gauge and gauge-cocks..... 227
cotton, hemp, hay, straw, &c. not to be carried on deck or guards of passenger steamers, except, &c. 227
coal oil or crude petroleum not to be carried, except, &c.....227, 228
barges carrying passengers while in tow of a steamer, subject to certain requirements..... 228
all vessels, except, &c. to be subject to navigation laws..... 228
steam vessels to be subject to section 29 of act of 1852, chapter 106..... 228
sea-going steam vessels when under way, except on high seas, to be under the control of licensed pilots, except, &c... 228
all sea-going, &c. vessels carrying passengers, to have life-boats with suitable boat-disengaging apparatus..... 228
foremast head-lights, only on ocean-going steamers and those carrying sail..... 228
lights of river steamers navigating waters flowing into Gulf of Mexico..... 228
of coasting steamers, &c other than ferry-boats 228, 229
Passports,
to be issued only to citizens of the United States..... 54
Patch, William Y.,
accounts of, to be audited and settled.... 612
Patent,
of Thaddeus Hyatt, extended..... 604
Patent Agents,
definition, and special tax on..... 118
Patent-Letters. See *Letters Patent.*
Patent Office,
appropriations for the.....20, 316, 464
illustrations and description of report of..... 20
saloon for reception of models.. 20
pay of those employed as examiners and assistant examiners..... 66
to be taken from patent-office fund.. 66
fee for appeal for first time from decision of primary examiner to examiners in chief..... 76
appeal not to be allowed until fee is paid..... 77
appropriations for expenses of copyright books, charts, &c..... 464
Patent Office, (continued.)
illustrations, &c. of commissioner's report..... 464
to be paid out of the patent-office fund..... 464
Patent Office Building,
appropriations for repairs, &c. of 197, 447, 460
for continuation of work on..... 315
Patent Right Dealers,
definition of, and special tax on..... 118
Patrick, Mary A.,
pension to..... 595
Patterson, F. A.,
payment to..... 579
Paulding, Rear-Admiral H.,
may accept a decoration..... 607
accounts of, while a captain in the navy, to be audited, and allowances made to 626
Paulsen's Captain August,
battery of Cincinnati, to be paid..... 90
Paupers,
care, support, and medical treatment of sixty transient..... 462
Paving in Washington, D. C.,
appropriations for.....18, 19
Pawnbrokers,
definition of, and special tax on..... 116
Pawnees,
appropriations for the.....262, 278, 505
Pay,
of army officers, actually entering on duty, but not mustered in, &c. to have full, from what date..... 368
of army officers below the rank of major-general increased one third for two years..... 422
of professors at West Point..... 422
increased, of non-commissioned officers and soldiers to continue for three years from, &c..... 422
of storekeepers of the army, except, &c.. 423
of post chaplains..... 423
Pay Corps
of the navy, how composed..... 43
Pay Department
of the army hereafter to consist of, &c... 335
Paymaster and Ordnance Storekeeper
at Springfield armory, rank, and allowances of..... 423
Paymaster-General,
appropriations for, and office of.....199, 449
additional employees in office of..... 449
pay of chief clerk of, established..... 199
number of third-class clerks reduced.... 199
of fourth class increased..... 199
appointment, rank, pay, &c. of.....335, 336
Paymasters,
in the army, number, rank, and pay..... 335
in the navy, number of, on active service. 43
appointment, &c. of.....43, 70
Payment
of tax not to exempt from penalty under State laws, &c..... 122
Payments,
by any government officer to any person not known to have been opposed to the rebellion, &c. prohibited..... 571
prohibition not to extend to certain claims 571
granting of a pardon not to authorize such payment..... 571
Payne, D. S.,
appropriation to pay for taking census of Idaho Territory..... 22

Pearce, Liston H.,
payment to, as chaplain..... 601
Peaslee, Charles H.,
balance due his estate to be paid..... 460
Pech, Frederick,
collection of plants tendered by, to be accepted..... 357
Pedlers,
definition of, and special tax on..... 119
refusing to exhibit receipt, their property may be seized..... 114
persons on foot, vending confectionery, not to be deemed..... 474
Pembina Band of Chippewas,
appropriations for the.....271, 497
Penalties. See *Fines, &c.*
incurred under customs laws, act to regulate the disposition of the proceeds of 546, 547
Penalty,
for violating law against importation of neat cattle and hides..... 4
for forging or counterfeiting any bond, bill, record, affidavit, or other writing, to defraud the United States.....12, 13
for procuring or assisting in such forging, &c.....12, 13
for knowingly uttering any such bond, &c.....12, 13
for knowingly transmitting or presenting any such bond at the office of any officer of the United States.....12, 13
for violating the provisions of the civil rights acts.....27, 28
for obstructing officers or rescuing persons arrested..... 28
for harboring or concealing persons for whom warrant has issued.....28, 29
for knowingly making, issuing, or passing, &c. any coin, or token, &c. for a five-cent piece.....47, 48
for carrying away any person to be sold as a slave..... 50
for enticing one to go on board a vessel, or to any other place, to be sold as a slave 50
for receiving on board a vessel, for such purpose..... 50
for false oath by attorneys in pension cases 57
for presenting power of attorney or voucher bearing date subsequent to actual date at any pension agency.... 57
for wilful, &c. injury to mail matter deposited in receiving boxes..... 60
on disbursing officers, depositing or drawing, &c. public moneys except as authorized by law..... 65
for receiving public money from disbursing officer except as authorized by law. 65
upon officers of national banks for so doing..... 65
under act forbidding the transportation, &c. of nitro-glycerine and kindred substances.....81, 82
under the act amending the internal revenue law.....99–168
for conveying or attempting to convey from any State where cotton is produced to any place without the United States, cotton on which the tax has not been paid..... 99
for neglecting, &c. to make returns of manufactures of cotton, or to keep books, or making false returns 100
upon inspectors or revenue agents
Penalty, (continued.)
for demanding or receiving fees or rewards, and for oppression or extortion..... 101
for refusing to obey summons to appear, &c..... 102
under internal revenue law, to be prosecuted.....111, 145
for having in possession taxable property with intent to sell in fraud of the law..... 112
for exercising any trade, &c. without payment of tax..... 113
if pedler refuses to exhibit receipt on demand..... 114
upon keepers of hotels, &c. for false returns of rent..... 118
for manufacturing tobacco, snuff, or cigars without giving bond..... 124
for fraud or collusion in the manufacture of tobacco, &c..... 124
upon manufacturer of tobacco for not keeping books, &c..... 125
for fraudulently making or changing marks or stamps..... 125
for any person except manufacturer to part with the possession of tobacco, &c. on which taxes have not been paid..... 126
for receiving tobacco, snuff, or cigars under certain circumstances..... 126
for purchasing or receiving for sale tobacco, &c. from a manufacturer who has not paid the tax..... 126
for making cigars without a permit 126, 127
for failing to make returns or making false ones..... 127
for neglect to have cigars inspected and taxes paid..... 127
for employing a person without a permit to make cigars..... 127
for knowingly selling certain liquors known as wines, and not made from grapes, &c..... 131
for selling, exchanging, transporting, &c. assayed gold or silver unless stamped.....132, 133
for selling, &c. or delivering, or receiving stocks, &c. without a memorandum..... 134
for delivering or receiving memorandum without stamps..... 134
upon banks, &c. for refusal or neglect to make monthly returns of circulation, deposits, &c. and to pay tax. 137
for refusal or neglect to make return of dividends, &c..... 138
upon railroad, &c. companies for making returns and paying tax on dividends and interest on bonds of 139
upon trustees, executors, &c. for wilful neglect, &c..... 140
upon those liable to pay tax as to succession of real estate for not making returns, &c.....140, 141
for wilful neglect to give notice and deliver account..... 141
for forging or counterfeiting any stamp, die, &c..... 141
for forging any stamp upon any paper, &c. or stamping any paper, &c. with intent to defraud..... 142
for knowingly uttering or selling paper, &c. with forged stamp..... 142

Penalty, (continued.)
for knowingly using or permitting the use of a forged stamp..... 142
for fraudulently removing stamp, or impression of stamp, from paper, &c. 142
for fraudulently using, &c. a stamp, cut, &c. from any other paper required to be stamped..... 142
for wilfully removing or cancelling a stamp, &c..... 142
for knowingly buying or selling or having in possession marked stamps 142
for 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 142
for making, selling, or removing for sale, &c. drugs, preparations, matches, &c. without affixing proper stamp..... 144
for receiving money under threat of informing or not informing..... 146
for removing, depositing, or concealing, &c. any goods, &c. on which tax is imposed with intent to defraud the United States of the tax 151, 152
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..... 152
for marking, &c. any such box, cover, &c. with intent to defraud..... 152
for doing business as a distiller or rectifier without having paid the special tax..... 153
for failing to give the notice or bond required by law..... 154
for using stills or boilers for distilling in unauthorized buildings..... 154
for setting up stills without written permit of collector..... 154
upon rectifiers and wholesale dealers for not making daily certain entries in books..... 155
for using, &c. materials for making spirits, for distilling or removing spirits, in absence of the acting inspector or his assistant, without permission 157
for removing spirituous, &c. liquors under the wrong brand 156
for refusing to admit inspector within the distillery or bonded warehouse 157
upon owners, &c. of stills, &c. for not making entries daily in books, or rendering under oath duplicate accounts to assessors tri-monthly.... 157
for knowingly using false weights, &c. or making false records..... 158
for tampering with locks or seals... 158
for using any substances for making spirits before an account of them is registered..... 158
for knowingly selling certain wines on which tax has not been paid... 159
for evading or attempting to evade paying of tax..... 159
upon inspectors, &c. for conspiring to defraud the United States of the tax 159

Penalty, (continued.)
for making false entries or returns.. 159
for placing false marks upon casks, &c. 159
for using casks, &c. to sell spirits of a quantity or quality different from that inspected..... 159
for knowingly purchasing or selling cask with inspector's marks thereon, after, &c..... 160
for fraudulently using any inspector's brands, &c..... 160
or making or using counterfeit brands..... 160
upon inspector for negligent or improper use of his brands or plates 160
or employing any servant of distiller to do his duty..... 160
for adding ingredients to spirits to create a fictitious proof before tax is paid..... 160
for making any false document, &c. to evade the payment of the tax or in fraud of the internal revenue law 162
for refusing to notify collector of spirits on hand manufactured prior to the time this act takes effect.... 162
for branding packages, knowing that the tax has not been paid..... 163
for removing spirits from places where distilled, except to a bonded warehouse..... 163
for aiding in the unlawful removal of distilled spirits..... 163
upon brewers for evading or attempting to evade payment of tax..... 165
for fraudulently neglecting to make entry and report..... 165
for intentionally making a false entry 165
for neglecting to keep books or furnish accounts, or for not permitting books to be examined..... 165
for not affixing or cancelling proper stamp or affixing fraudulent ones 166
for selling, purchasing, receiving, &c. fermented liquor in any vessel from a brewery, &c. without a stamp, or with a false one..... 166
for withdrawing such liquor from a vessel without defacing stamp.... 166
for making, selling, or using false stamps or dies..... 166
for purposely removing or defacing marks upon barrels..... 167
for any person, other than owner or purchaser, intentionally to remove or deface stamp on any barrel, &c. 167
for withdrawing any fermented liquor, for bottling, from any vessel not stamped, or for bottling fermented liquor in the place where it is made..... 167
upon revenue officers from becoming or being interested in the manufacture of tobacco, snuff, or cigars, or in the production of distilled spirits or fermented liquors..... 168
upon internal revenue officers for knowingly making false statement as to amount of fees received by them..... 168
for neglecting to render statement when required..... 168
for giving or offering, &c. any bribe, or present, &c. to any United

Penalty, (continued.)
States officer or official, with intent to influence his action on anything before him, or to cause him to commit any fraud upon the revenue ... 168
for accepting or receiving the same ... 168
for rescuing or attempting to rescue property from the custody of a revenue officer ... 172
on driver, &c. of a suspected vehicle for refusing to stop and allow a search by customs officers ... 178
for fraudulently or knowingly bringing into the United States any goods, &c. contrary to law ... 179
for knowingly receiving the same ... 179
for forcibly resisting officers of customs, &c. in discharge of their duty ... 179
for rescuing or attempting to rescue seized property ... 179
for destroying property to prevent its being seized ... 179
for discharging or using any deadly weapon against persons authorized to make searches and seizures, &c. in discharge of their duty ... 179
for refusing to assist customs officers when requested ... 180
upon masters of certain vessels for not reporting or making entry ... 183, 184
for unlading vessel in the night time ... 184
for taking false oath in regard to matters connected with payment of salaries ... 185
for offering bribes, &c. to customs officers 187
upon officers, &c. for asking or receiving any bribe ... 187
upon collectors or inspectors of steamboats for not making the returns required by law ... 188
upon licensed engineers or pilots wrongly refusing to serve as such, and pilots refusing to admit certain persons into pilot-house ... 227
for carrying straw, hemp, cotton, &c. on certain parts of passenger steamers, except, &c. ... 227
for barges, &c. conveying passengers in tow of a steamer, without, &c. ... 228
for any person connected with any association of steamboat pilots, engineers, masters or owners, attempting to act as steamboat inspector ... 228
for the unlawful tapping of government water-pipes in the District of Columbia ... 251
for persons shipping seamen, omitting to inform them of the law prohibiting the carrying of sheath-knives ... 304
for filling certain bottles with mineral-water in the District of Columbia ... 343
upon agents for collecting bounties, &c. for charging more than legal fees ... 368
for wilfully refusing to receive, or for rejecting, the ballot of one entitled to vote in the District of Columbia ... 375
for wilfully disturbing an elector in the exercise of his franchise ... 375
for giving or offering, &c. money, &c. to influence the vote of another in the District of Columbia ... 376
for accepting money, &c. to influence one's vote ... 376

Penalty, (continued.)
for obstructing the railway of the Washington County Horse R. R. Co ... 382
for buying, selling, receiving, &c. counterfeit, &c. bonds, certificates, coupons, notes, stamps, &c. with intent that they shall be passed or used as genuine ... 383
for making or using, &c. cards, circulars, handbills, advertisements, &c. in the similitude of any security, &c. of the United States, or of any banking association ... 383
to be recovered in an action of debt, and one half to informer's use ... 383
for printing any business card or advertisement upon any such security ... 383
how recovered and to whose use ... 383
for making, &c. without authority, impressions, &c. upon any material by any tool, &c. used, &c. in printing, &c. or in making, &c. other tools, &c. to be used in printing, &c. any security, &c. to be issued by or for the United States 383, 384
for having in possession, or selling or giving, &c. with intent to defraud, any such impression, &c. of such tool, &c. ... 384
for taking, secreting, or 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 in printing, &c. any security, stamp, or currency to be issued by or for the United States ... 384
for so taking, &c. 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, stamps, &c. or printed, &c. in whole or in part, in the similitude of such stamps and currency, whether intended for issue or not ... 384
for so taking from any place of deposit any document or paper, &c. prepared or intended for use to procure the payment of money from, or allowance of claims against, the United States, whether such document or paper, &c. has or has not been so used, or such claim has or has not been so allowed 384, 385
for using or attempting to use any such document or paper ... 385
for refusing to obey the writ of habeas corpus directed to him ... 386
for not making return to writ of habeas corpus, or making a false return ... 386
for knowingly procuring or attempting to procure registration as a voter in the District of Columbia, when not qualified ... 390
for knowingly voting or offering to vote when not qualified ... 390
for knowingly voting or attempting to vote in the wrong ward or precinct in the District of Columbia ... 390
for knowingly voting more than once, or voting double ... 390
for failing to deliver to the library of Congress a copy of copyrighted publication within one month after publication ... 395
for wilfully defacing, removing, &c. any

Penalty, (continued.)
gravestone, monument, or structure in any national cemetery..... 400
for wilfully cutting, breaking, or destroying any shrub, tree, or plant therein.. 400
for larceny of money or goods in the District of Columbia..... 406
for knowingly receiving stolen goods.... 406
for embezzlement in the District of Columbia..... 407
for knowingly buying or receiving embezzled goods..... 407
upon carriers for hire for converting to their own use property delivered to them for carriage..... 407
for accepting or exercising an office contrary to the provisions of the act regulating the tenure of certain civil offices 431
for removing, employing, or appointing, or signing, or issuing a commission to any person contrary to the provisions of the law regulating the tenure of certain civil offices..... 431
under the internal revenue law.....471–485
upon manufacturers, &c. for selling, &c. articles required to be stamped, without affixing a stamp thereto.. 472
for neglect or failure to pay tax when due..... 473
for exercising any trade or employment without prepayment of the special tax..... 473
for making, selling, &c. as brandy from grapes, any fluid not really such..... 477
for neglect or failure to return list of income, or making a false return 479, 480
for not paying income tax when due 480
for violations of the internal revenue law in regard to distilled spirits 482, 483
upon collectors, assessors, and others for asking or accepting any money, &c. for compromising, &c. any charge of violating the law relating to internal taxes..... 483
for falsely assuming to be a revenue officer and acting as such..... 484
for mixing for sale naphtha and illuminating oils, or selling or keeping for sale such mixture..... 484
for selling, &c. or for illuminating purposes, certain oil made from petroleum..... 484
for selling or giving away empty cigar boxes that have been stamped without defacing the stamp..... 484
for conspiracy to commit any offence against the laws of the United States, or to defraud the United States, if any party to the conspiracy does any act in pursuance and in aid thereof..... 484
for issuing, transmitting, conveying, or obeying orders and instructions relating to military operations, issuing from the President or Secretary of War, unless issued through general of the army, &c.....486, 487
for requiring workmen in any navy-yard to contribute or pay money for political purposes, or for removing or discharging him for political opinion..... 492
for perjury before a register in bankruptcy..... 520
Penalty, (continued.)
against bankrupts for secreting or concealing property, for destroying and mutilating books, and for other acts forbidden by bankruptcy law..... 539
against judges, registers, clerks, &c. for offences under the bankruptcy act..... 539
for forging the signature of the judge, register, or other officer of the court.. 539
for counterfeiting the seal of the court... 539
for knowingly using or tendering in evidence any document with such forged signature or seal..... 539
for holding a person as a peon, or returning any one to the state of peonage.... 546
for obstructing the enforcement of the law prohibiting peonage..... 546
for robbery or larceny of personal property belonging to the United States... 557
for violation of the conditions of the bond given for withdrawing alcohol from bonded warehouse without payment of tax, by curators of scientific institutions, for the purpose of preserving specimens therein..... 566
Penitentiaries,
proceeds of internal revenue in Arizona, Colorado, Dakota, Idaho, Montana, Nebraska, and Washington Territories for three years devoted to the erection of, in those Territories..... 377
places where to be erected..... 377
limit of amounts to be expended in the several territories..... 377
Pennsylvania,
to be reimbursed for moneys advanced for war purposes..... 32
claim to be re-examined..... 32
appropriation therefor..... 32
district court of the United States to be held two terms each year at Erie..... 342
post-roads established in.....8, 281, 554
Pennsylvania Bank Building,
Secretary of Treasury may sell at public auction, &c.....23, 24
appropriation for repairs of..... 326
Penobscot,
collection district of, to be called Castine 33
Pensacola,
appropriations for navy-yard and hospital of..... 36
salary of collector of customs at, established..... 308
Pension Agencies,
appropriation for expenses of.....2, 398
Pension Agents,
appropriation for pay of.....2, 398
fees of, in certain matters pertaining to pensions..... 57
their appointment, term of office, bond, &c..... 391
official term of present..... 391
Pension Bureau,
appropriations for..... 468
Pension Office,
appropriations for.....197, 198
for pay of temporary clerks.....20, 315
rent of rooms for use of..... 316
deficiency appropriations..... 468
Pensions,
appropriations for.....2, 3, 398
deficiency appropriations for..... 2, 3
act supplementary to the several acts relating to..... 56

Pensions, (continued.)
repeal of, and substitute for previous provisions ... 56
of persons losing both eyes or both hands 56
losing both feet, or hand and foot ... 56
those totally and permanently disabled ... 56
those disabled so as to be utterly helpless ... 56
so as to be unable to perform manual labor equivalent to loss of hand or foot ... 56
all pledges, sales, transfers, &c. of, or of any interest therein, void ... 56
oath of attorney to receive money or pension ... 56
false swearing to be perjury ... 57
presenting any power of attorney at any pension agency bearing date subsequent to actual date, how punished ... 57
money due or to become due any pensioner, not liable to attachment ... 57
fees of claim and pension agents, in pension matters ... 57
repeal of law forbidding invalid pensioners to draw pensions while receiving full salary ... 57
when heirs of persons entitled to invalid, may receive them ... 57
of officers dying after date of commission, but before being mustered ... 57
not of those wilfully neglecting or refusing to be mustered ... 57
absentees on sick leave, &c. to be regarded as if in field or hospital ... 57
period of service to extend to what time ... 57
enlisted men, however employed, to be treated as non-commissioned officers or privates ... 57
when not allowed to widows abandoning their children, or when unsuitable to have custody of them ... 58
children to receive the pensions ... 58
to be paid their guardians ... 58
when orphan brother or sister may receive pension ... 58
provision of former act not modified ... 58
no person to receive more than one at a time ... 58, 230
if claim for pension is not filed in three years, pension to commence from what date ... 58
widows, &c. of colored soldiers, &c. may receive pensions, &c. upon what proof of marriage ... 58
act increasing pensions of widows and orphans ... 230
provisions of pension laws extended to provost marshals and their deputies, and to enrolling officers ... 230
how to be ranked ... 230
pensions of widows of soldiers and sailors increased $2 a month for each child under sixteen years ... 230
if there is more than one child and no widow, &c ... 230
provisions of certain former acts extended to pensioners, except, &c ... 230
if, during application for invalid pension, and after completion of proof, applicant dies, who to receive accrued pension ... 230
in all cases, accrued pensions to be paid to executors, &c ... 230

Pensions, (continued.)
repealing clause not to work forfeiture of accrued rights ... 230
widows having claim for pension pending at date of remarriage ... 231
to colored soldiers, provisions respecting ... 357, 358, 367, 368
See *Colored Soldiers*.
act to provide for the payment of ... 391
agencies for payment of, may be established ... 391
limit of number of, in any State or Territory ... 391
appointments, term of office and bond of pension agents ... 391
official term of present agents ... 391
appropriation for the payment of ... 398
for office of commissioner of ... 447
of widows of Revolutionary soldiers to be increased ... 566
increase to date from Sept. 30, 1865 566

Pensions to
Accadi, Salvador, minor children of ... 598
Aderton, Obadiah ... 643
Allen, Sally ... 631
Andrews, Sally ... 587
Appleton, Charles ... 623
Bakeman, Daniel Frederick ... 621
Barron, Francis ... 628
Beach, Jonathan W ... 598
Becker, Ernestine ... 624
Bence, Charlotte ... 577
Berry, Almira M ... 591
Boucher, Margaret ... 626
Brent, Jane D ... 593
Bush, George W ... 597
Buxton, Marion M ... 605
Cannon, Olivia W ... 622
Carter, John ... 623
Champion, David B ... 630
Clement, Jane ... 619
Cole, Daniel ... 642
Colgen, Francis ... 605
Cook, Amarilla ... 592
Crocker, Harriet B ... 592
Cross, Mary A ... 631
Croswell, William ... 605
Crowley, Cornelius ... 593
Curtis, Ira B ... 592
Daniel, Levisa ... 628
Dexter, Mary J ... 632
Dietrich, Lewis W ... 583
Downing, Samuel ... 619
Duchman, Ann I ... 628
Elder, Christina ... 587
Faris, John, orphan children of ... 627
Farley, Joel ... 595
Farran, Margaret A ... 594
Fisher, Peter ... 627
Fitzgibbon, Sarah ... 579
Fitzpatrick, Mary ... 629
Fletcher, Elizabeth ... 620
Fogg, Isabella ... 581, 630
Fowler, Mary B ... 629
Franklin, Benjamin ... 592
Frye, Barbury ... 617
Gaston, Anna G ... 589
Gates, Lucinda ... 597
Glasgow, Thomas ... 627
Gleason, William ... 631
Gordon, Ezra B ... 624
Gordon, John ... 596
Gould, Adeline M ... 623
Gouler, Emerance ... 584, 594

Pensions to, (continued.)
Gray, Andrew J. 593
Gray, John 620
Hafer, William H. 630
Hall, Emma Jane 580
Hamilton, Mary C. 594
Harmon, Matilda 617
Harris, Edgar T. 610
Harris, Jane 592
Harvey, Effie J. 631
Harvey, Rufus L. 627
Hedrick, Hiram 620
Henne, Robert 578
Heth, Ann 583
Hibner, Nicholas 582
Hinshaw, Jacob M. 620
Hinshaw, William A. 620
Hinton, Nancy 631
Hoffman, Johnson 586
Horton, Lewis A. 629
Hosea, Mary 630
Hurley, Thomas 584
Jones, John W. 595
Kelley, W. B. 603
Kellogg, Spencer 585
Knabb, George W. 629
Lansing, Abraham 603
Laughlin, Agnes W. 583
Layman, Drusey A. 603
Long, Solomon, children of. 621
Lucas, Daniel 606
Lynch, Frank 596
May, Quincy A. 606
McClelland, Rachel 632
McCook, Martha 641
McGee, Caroline 624
McMahon, Daniel 629
McManus, Mary A. 597
Meehan, Patrick 625
Miles, Jane E. 594
Mock, Catharine 622
Monrean, John 620
Monroe, Matilda I. 596
Moore, Virginia R. V. 582
Murray, Cordelia 583
Nethaway, Jane W. 579
Nevins, Albert 582
O'Brien, Kennedy 622
Page, Jerusha 623
Patrick, Mary A. 595
Perham, James L. 595
Pott, Charles M. 613
Purcell, Sarah J. 594
Pyle, John 603
Rader, Samantha 598
Reed, Charlotte E. 598
Riddle, James 626
Roberts, Levi M. 633
Rogers, John 631
Rowohl, Charles O. 643
Russell, John 628
Ryan, Abigail 590
Scattergood, Mercie E. 597
Shechey, Ann 595
Slocum, Josephine 624
Smith, Mary A. 623
Smith, Solomon P. 616
Sohan, John J. 617
Staley, Elizabeth 630
St. Clair, Leonard 586
Stevens, Martha 588
Stocks, Nancy A. 603
Strabing, Isabella 586
Valence, Charles 632

Pensions to, (continued.)
Velzy, Milton 632
Ward, Anna E. 588
Weiss, Charles N. 622
Whelan, William, orphan children of. 643
Willcox, Altazera L. 581
Willey, Martha J. 586
Wilson, Sarah E. 583
Wilson, Virginia S. 642
Winans, Joanna 587
Winslow, Katharine F. 615
Witter, Jerusha 591
Worster, Lemuel 619
Wrenn, Joseph 628
York, Elizabeth 582

Peonage,
system of, in New Mexico and other parts of the United States declared unlawful and abolished 546
acts, usages, &c. establishing it declared null and void 546
penalty for holding, &c. a person in peonage 546
enforcement of act relating to, provision concerning 546
penalty for obstructing or interfering with the 546

Perham, James L.,
pension to 595

Periodicals, Leading,
appropriation for purchasing files of, for the Congressional Library 443

Perishable Property,
proceedings when seized for forfeiture under customs revenue laws 181, 182
under internal revenue laws 112
proceedings in regard to, under the bankruptcy act 529
See *Bankruptcy.*

Perjury,
may be committed by false swearing before register in bankruptcy 520

Permanent Beacons,
appropriation for erection of, in lower bay of New York harbor 470

Permit,
for the removal of cotton, provisions concerning 98, 99
for the making of cigars 126, 127

"Person,"
the word in the internal revenue act to include what 163

Personal Effects,
allowance to officers in navy and marine corps for loss of, when, &c. 14

Petaluma,
California, act to quiet land-titles in the town of 418
effect and extent of act 418

Petigru, James L.,
law library of the late, to be bought for library of Congress 365

Petition. See *Bankruptcy.*
in bankruptcy, provisions concerning 521
in involuntary proceedings 536
the filing of, to be deemed an act of bankruptcy 521

Petroleum,
appropriation for testing as fuel under marine boilers 37
selling certain oil made from, for illuminating purposes, how punished 484

Petroleum, Crude,
exempt from internal duty 355

Pettijohn, Dyer B.,
payment to, as second lieutenant of cavalry..... 646
Phelps, Mrs. Mary,
reimbursement to, for expenditures in raising and equipping troops and for wounded Union soldiers and orphan children..... 612
Philadelphia,
appropriations for navy-yard at..... 35
pay of clerk of yard, and of first clerk to naval storekeeper, established..... 36
pay of appraisers, general and local, deputy collectors, naval officers and surveyors, and custom-house weighers at, established..... 308
Photographers,
definition of, and special tax on..... 120
Physicians,
definition of, and special tax on..... 121
Pillager Bands,
appropriations for the.....258, 273, 496
Pilots,
to have direction of sea-going steam-vessels, subject, &c. when under way, except, &c..... 412
State regulations not affected..... 412
Pilots and Pilot Regulations,
act relating to..... 93
no State to make discrimination in rates of pilotage of certain vessels..... 93
existing discriminations abrogated..... 93
Pilots, Licensed,
wrongfully refusing to serve as such, or refusing to admit into pilot-house certain persons desiring to learn piloting, to forfeit $300..... 227
Placerville and Sacramento Valley R. R. Co.,
right of way granted to, for railroad and telegraph..... 94, 95
materials for construction, &c..... 95
lands granted to, in aid of construction of road..... 95
general provisions of the grant....95, 96
mineral lands and town lots excepted.....95, 97
grant to be void unless, &c..... 96
Plants, Collection of,
tendered by Frederick Pech, to be accepted by the United States..... 357
Plants, Cuttings, and Shrubs,
propagation and distribution of.....202, 452
what kind are to be propagated..... 202
to be confined to those adapted to general cultivation, &c..... 452
Playing Cards,
tax upon..... 145
Pleadings,
forms of, in suits before justices of the peace in the District of Columbia, to be prepared..... 402
Plumbers,
definitions of, and special tax on..... 121
additional special tax on certain..... 471
Plymouth,
made port of entry of Plymouth district 411
Point Lookout, Maryland,
certain property of the United States at, to belong to National Asylum, &c. when, &c..... 11
Policeman,
no person to be appointed a, who has not served in the army or navy, and received an honorable discharge..... 457
Policemen at President's House,
appropriations for the..... 206
Police Telegraph,
in Washington, appropriation for..... 206
Pollock, James T.,
sureties on official bond of, released..... 618
suits against, discontinued.....618, 619
Poncas,
appropriations for the.....265, 278, 505
treaty with the Ponca tribe of Indians, of March 10, 1865..... 675
cession of land to the United States..... 675
boundaries..... 675
their old burying-grounds and cornfields returned to..... 675
certain fractional townships relinquished by the United States to the Poncas... 675
claims of settlers thereon, if any, for improvements, to be satisfied and paid by the Poncas out of their own funds.....675, 676
indemnity to the Poncas for spoliations committed upon them.....675, 676
expenses of the treaty to be paid by the Indians.....675, 676
Pool, James,
payment to..... 616
part of amount of, to be refunded from any moneys payable to the Senecas or Shawnees..... 616
Portage and Superior Railroad Company,
location of, and application of lands to, assented to by Congress..... 361
Portage Lake and Lake Superior Ship Canal Company,
grant of public lands for the benefit of.... 81
Port Angeles,
abolished as port of entry in the district of Puget's Sound..... 250
Porter. See *Beer.*
internal revenue tax upon..... 144
tax upon..... 475
fractional parts of a barrel, and how accounted.....164, 475, 476
Port Huron,
collection district of, in Michigan established..... 32
to embrace what..... 32
collector to be appointed and port of entry to be designated..... 33
Portland, Maine,
hospital buildings in, not to be sold or leased..... 40
pay of appraisers, general and local, deputy collectors, naval officers, and surveyors and custom-house weighers at, established..... 308
act for the relief of sufferers by the fire at..... 304
contributions sent from without the United States for the relief of, to be admitted free of duty..... 304
drawback allowed of the import duties on materials used in buildings erected on the ground burned over..... 304
hospital furniture and clothing to be placed at the disposal of the authorities of the city of, for the relief of the sufferers by the fire..... 364
collection of certain internal revenue taxes in, may be suspended..... 369
Portland, Oregon,
vessels may load and unload under regu-

Portland, Oregon, (continued.)
lations to be prescribed by Secretary of Treasury..... 461
Port of Entry
for eastern district of Maryland, Crisfield made..... 410
Portraits
of living persons not to be engraved on plates for national bonds, securities, or currency of the United States..... 25
Portsmouth,
appropriations for navy-yard at.....34, 35
for purchase of Seavey's Island..... 35
use of bridge to be discontinued, if, &c..... 35
pay of clerk of yard and of naval storekeeper at, established..... 36
Ports of Entry
in the collection districts of North Carolina established..... 411
Port Townsend,
established as the port of entry and delivery in Puget's Sound..... 250
Portugal,
no money to be paid to present minister resident of the United States at, for further services in office.....225, 413
this provision to continue in force until repealed..... 413
Postage Stamps,
contract for the manufacture of, may be modified..... 60
Postal Laws,
act to amend.....59, 60
prepaid and free letters to be forwarded upon request, without additional charge 59, 60
dead letters to be returned to writers free..... 60
letters indorsed to be returned to writers, to be returned without charge..... 60
money orders, for not over $50..... 60
good for one year..... 60
duplicates in case of loss..... 60
proceedings to obtain..... 60
railroads conveying mails, to convey printed matter without extra charge..... 60
wilfully, &c. injuring or defacing mail matter in any letter-box or receiving-box, how punished..... 60
Postmaster-General may modify contract for postage stamps, if, &c..... 60
may require special collecting or disbursing agents to give bond..... 61
may readjust salaries of postmasters 60
Post Chaplains,
at each military post..... 333
to be commissioned by the President.... 423
appropriations for, and for office of..201, 451
may appoint additional clerks in his department..... 3
when may employ sailing vessels to transport the mails..... 49
to report annual estimates for the service of the department..... 49
may modify contract for postage stamps, if, &c..... 60
may readjust salaries of postmasters.... 60
may direct certain railroads to carry printed matter without extra charge..... 60
may require special collecting or disbursing agents to give bond.....60, 61
to fix compensation for carrying the mails over a railroad in Minnesota..... 88
Post Chaplains, (continued.)
over the St. Joseph and Denver City Railroad..... 211
to fix annually rates for sending government telegrams over certain telegraph-lines..... 221
to select two out of five appraisers of the value of certain telegraph-lines..... 222
to fix the rates for transportation of the mails over the Kansas and Neosho Valley Railroad..... 237
over Union Pacific Railway..... 290
to furnish certain post-offices postal balances denominated in grams of the metric system..... 301
to prescribe mode of franking soldiers' medals by the adjutant-general of Ohio 356
to pay additional salary to letter-carriers in San Francisco..... 357
to make regulations for the transmission through the mails, free of postage, of certificates of thanks awarded by New Jersey to the soldiers of that State.... 371
tenure and term of office of..... 430
to pay route agents in the service of the Post-Office Department..... 378
duty of, under the act establishing mail steamship service between the United States and Japan, with branch between a port in Japan and Shanghae, China. 394
to invite proposals for monthly mail steamship service between San Francisco and Honolulu..... 543
to make contracts for the said service.... 544
may determine the contract if assigned or underlet..... 544
to approve of plans for building for post-office and courts in New York city.... 564
to employ, after advertisement for proposals, ocean mail service between San Francisco and Portland..... 566
if approving the report of commission to select a proper site for building for post-office and sub-treasury in the city of Boston, to submit it to Congress..... 573
Postmaster-General,
to receive proposals for carrying the mail on the route between Newcastle and Mechanicsburg, Indiana..... 644
when bid is accepted, to discharge the present contractor..... 644
Postmasters,
salaries of certain, may be re-adjusted.... 60
duty of, in respect to copyrighted articles delivered to them for transmission in the mails..... 395
Post-Office,
use of weights of the denomination of grams authorized in the..... 301
postal balances denominated in grams of the metric system may be furnished post-offices exchanging mails with foreign countries..... 301
one half-ounce to be the equivalent of fifteen grams..... 301
site for building for, in New York city, commission to select a..... 356
Post-Office Building,
appropriation for extension of general.. 318
Post-Office Buildings,
appropriations for, at
Springfield, Ill..... 310
Bangor..... 311
Middletown, Ct..... 311

Post-Office Buildings, (continued.)
appropriations for, at
Providence ... 22
Portland, Me ... 26, 319
St. Paul ... 316
Post-Office Department,
clerical force may be increased in ... 3
appropriations for service of, for years ending June 30, 1867 and 1868 48, 201, 393, 394
transportation of mails ... 49, 342, 393
ship, steamboat, and way letters ... 49, 393
postmasters, clerks, letter-carriers ... 49, 393
wrapping-paper, twine, letter balances 49, 393
blank agents and assistants ... 49, 393
office furniture and advertising ... 49, 393
postage stamps and stamped envelopes 49, 393
mail depredations and special agents ... 49, 393
mail-bags, locks, keys, and stamps ... 49, 393
balances due foreign countries ... 49, 393
negotiating postal conventions ... 393
miscellaneous payments ... 393
report of Isthmus routes to the Pacific 49, 394
mail steamship service between the United States and Brazil ... 49, 394
when to take effect ... 49
between San Francisco and China and Japan ... 49, 394
steamships need not touch at Honolulu ... 394
branch line in lieu thereof from Japan to Shanghae ... 394
service to be by first-class American sea-going steamships ... 394
overland mail between Atchison and Folsom ... 49
overland mail transportation between the Missouri River and Folsom ... 394
marine mail transportation between New York and California ... 49, 394
sailing vessels may transport the mails, when, &c. ... 49
pay not to exceed sea postages on mails conveyed ... 49
Postmaster-General to report annually estimate for service of the department. 49
deficiencies for money-order system ... 49, 50
advertising, &c. in Washington, for contracts of all executive departments, to be in what papers ... 50
provisions concerning ... 50
special collecting, &c. agents of, to give bond 61
additional pay to certain officers, clerks, and laborers ... 324
pay of additional clerks in ... 324
transfer of appropriations for the payment of salaries to the general salary account 354
pay of route agents in, established ... 378
appropriations of the expenses of the ... 451
transfer of two clerks from class three to class four in office of auditor of treasury for Post-Office Department ... 394
appropriation for increased expense 394
Post-Office in Boston,
commission appointed to select a proper site for the ... 573
Post-Office in New York City,
commission to purchase site of building for, and for the courts of the United States in ... 563, 564
lower part of City Hall Park may be purchased ... 564
title and condition ... 564
Secretary of Treasury authorized to pay therefor ... 564
Post-Offices,
appropriation for sites, buildings, furniture for, &c. at
Astoria ... 461
Des Moines ... 461
Machias ... 461
Middletown ... 461
commission relating to sites for, in New York ... 563, 564
in Boston ... 573
Post-Offices and Mails,
to be established among the Choctaws and Chickasaws ... 779
Post-Roads,
act to establish certain ... 5, 190, 286, 551, 556
certain, established in Alabama ... 190
Arkansas ... 190
California ... 5, 190, 286
Colorado ... 6
Dakota Territory ... 6, 287, 288
Delaware ... 282
Idaho Territory ... 288
Illinois ... 191, 282, 283
Indiana ... 6, 191, 282
Indian Territory ... 288
Iowa ... 6, 189, 285
Kansas ... 6, 189, 287
Kentucky ... 287
Maine ... 6, 280
Maryland ... 189, 282
Massachusetts ... 7
Michigan ... 7, 283
Minnesota ... 7, 189, 284
Mississippi ... 190
Missouri ... 190, 283, 284
Montana Territory ... 190, 287, 288
Nebraska Territory ... 7, 287
Nevada ... 7, 190, 287
New Jersey ... 287
New York ... 7, 189, 281
Ohio ... 7, 282
Oregon ... 8, 190, 287
Pennsylvania ... 8, 281
Rhode Island ... 189
Utah Territory ... 287
Vermont ... 8, 281
Washington Territory ... 8, 287
West Virginia ... 8, 190, 282
Wisconsin ... 8, 189, 286
Post-Route,
railroad bridge at Rouse's Point declared a lawful structure ... 51
Post-Route Maps,
appropriation for topographer for preparing and publishing ... 201
Post-Routes
established in certain States and Territories ... 551, 556
Potomac Bridge,
appropriation for repairs of ... 360
Pott, Charles M.
pension to ... 613
Pottawatomie Indians,
appropriations for the 262, 265, 280, 505, 506
payment to certain ... 370
annuities of, to be restored ... 370
supplemental article to the treaty with, of November 15, 1861 ... 763
provisions of third article of former treaty extended to all adult persons of the tribe ... 763
ratification ... 764
certain, may select lands upon the Isabella reservation of the Chippewas ... 658

Potter, W. W.,
payment to, of amount of draft..... 634
bond of indemnity to be first given 634, 635
Powell, William H.,
appropriation for naval picture by..... 21
Practice,
rules of, in suits before justices of the peace in the District of Columbia, to be made..... 402
in matters of bankruptcy.....520, 521
Supreme Court of the United States to make general orders regulating..... 521
See *Bankruptcy.*
Pratt, Alexander F.,
payment to, for pursuit and capture of Elijah R. Jauner, a counterfeiter of United States coin..... 619
Pre-emption Rights,
extended to certain lands in California... 549
Preferences. See *Bankruptcy.*
made in contemplation of insolvency, &c. declared void.....534, 535
persons accepting, not to prove debt, nor receive dividends.....528, 534
Prepaid Letters
may be forwarded at request of party addressed without extra postage..... 60
Presents,
penalty for offering to officers of revenue to affect their conduct..... 187
upon officers for receiving..... 187
Preserved Meats, Fish, Vegetables, &c.,
stamp tax on..... 145
penalty for making or selling without affixing proper stamps..... 144
President of the United States,
appropriation for household of.....194, 444
for contingent expenses of executive office..... 444
household of, established.....206, 207
private secretary..... 206
assistant secretary..... 206
short-hand writer..... 206
clerk of pardons..... 207
three clerks of fourth class..... 207
steward..... 207
duties and bond of..... 207
may declare act prohibiting importation of neat cattle, &c. inoperative..... 2, 4
to allow additional compensation to district attorneys and marshals, for services in suppressing the slave-trade.. 23
may direct the judge, district-attorney, and marshal of any district to attend at any designated place within the district, for the more speedy trial of persons charged with violating the civil rights act..... 29
may enforce the civil rights act with the military and naval power of the United States..... 29
may appoint an additional assistant secretary of the navy for six months.... 54
may waive examinations of certain paymasters..... 70
may restore commander Charles Hunter to his rank in the navy..... 70
to appoint commissioners to revise and consolidate the general statutes of the United States..... 74
to appoint register and receiver for the Idaho land district..... 77
to appoint surveyor-general for Idaho... 77
President of the United States, (continued.)
may adjust boundaries and change locations of any and all land districts in Oregon..... 83
may appoint register and receiver in new land-office in Oregon..... 83
to approve of grant of right of way to Iron Mountain Railroad through mineral lands..... 83
to appoint surveyor-general for Nevada 86, 87
to cause patents to issue for lots of land in Fort Howard military reserve.... 88, 89
to approve grant of right of way for military wagon road from Albany, Oregon 89
duties of, under the act granting lands to aid in the construction of the Placerville and Sacramento Valley Railroad Company.....95, 96
to appoint two assistant commissioners of refugees and freedmen..... 174
may detail from the army all the officers and agents of the bureau for relief of freedmen and refugees..... 174
shall extend military protection and jurisdiction in all cases affecting the immunities and rights of the citizens of the United States..... 177
may appoint private secretary and other officers and clerks of his household.... 206
to approve grant of right of way to the St. Joseph and Denver City Railroad Company..... 210
to appoint naval constructors and first and second assistant engineers..... 223
a general of the army of the United States..... 223
a second assistant secretary of state. 226
to appoint and commission seven trustees of the house of correction for boys, in the District of Columbia..... 232
to approve grant of right of way, &c. to the Kansas and Neosho Valley Railroad Company.....236, 239
to appoint commissioners under the act granting lands to the California and Oregon Railroad Company..... 239
to appoint a commissioner upon the claim of Iowa..... 247
may establish additional land districts, and appoint necessary officers therefor 252
to approve grant of right of way to the Union Pacific Railroad Company..... 289
duty of, under the act granting lands to the Atlantic and Pacific Railroad Company.....295–299
may appoint an appraiser for the port of New York..... 302
may enlist and employ in the Indian country and Territory, not over one thousand Indians to act as scouts..... 333
may upon application detail army officers to act as presidents or professors of colleges..... 336
may appoint chaplain for colored troops 337
to cause subsistence and clothing to be furnished to destitute Indians within the southern superintendency..... 347
to communicate the thanks of Congress to Vice-Admiral Farragut and others.. 349
may appoint commanders Reynolds and Woolsey to the active list of the navy. 352
to cause copy of the protest of Congress to be communicated to the United States representatives in foreign countries.... 353

President of the United States, (continued.)
to forward copy of resolution to the Emperor of Russia..... 355
may nominate fifty cadets at large for the military academy 360
may appoint Lieutenant-Commander Law to the active list of the navy..... 361
to appoint professional and scientific commissioners to attend the Universal Exhibition at Paris..... 363
to place at the disposal of the city authorities of Portland certain clothing, camp equipage..... 364
procure and deliver gold medals in acknowledgment of the saving of the passengers, officers, and men of the wrecked steamship San Francisco.... 365
may appoint two commissioners to examine the claims of Massachusetts.... 367
to approve of grant of right of way to the Union Pacific Railroad Company.... 367
certain proclamations of, and acts done in pursuance thereof, or of his orders, made valid and conclusive 432
no court of the United States to have or take jurisdiction, &c..... 433
all officers and others, held prima facie to have been authorized..... 433
authority of, to proclaim pardon and amnesty, repealed..... 377
may require freight for the United States to be transported over the railway of the Washington County Horse Railroad Co..... 381
may establish pension agencies and appoint pension agents..... 391
to announce by proclamation, that the State of Nebraska has assented to the fundamental condition of its admission into the Union..... 392
to appoint a board of officers in reference to the acceptance of the gift of League Island, &c. from the city of Philadelphia 396
to nominate and appoint Lieutenant Joseph P. Fyffe to the active list of the navy 408
to appoint collectors of the customs in the collection districts of North Carolina.. 411
to commission chaplains and post chaplains in the army..... 423
duty of, under the act to provide for the more efficient government of the rebel States 428, 429
powers of, as to removals, appointments, &c. under the act regulating the tenure of certain civil officers.....430, 431
to appoint a commissioner of education.. 434
to issue all orders relating to military operations through the general of the army, &c.....486, 487
to appoint civil engineers and naval storekeepers when required at the navy-yards 490
duty of, as to expenditures of appropriations for various Indian tribes....492–515
to appoint Indian sub-agents where salaries are over $1,000 a year 515
to commission sub-Indian agents temporarily appointed..... 515
may confer brevet rank on army officers for gallant, &c. services, while in the volunteer service 517
to appoint surveyor-general for Montana 542
to appoint registers and receivers in the land districts of Arizona and Montana 542, 543
duty under the act granting lands to California, to aid in the construction of the Stockton and Copperopolis Railroad Co..... 548
may appoint Lieutenant-Commander S. L. Breese to the active list of the navy 567
to forward to Emperor of Brazil copy of resolution of acknowledgment by Congress of the resolutions of sympathy of the Chambers of Senators and Deputies of Brazil on the death of President Lincoln 572, 573
to cause a gold medal to be struck and forwarded to Cyrus W. Field, with engrossed copy of resolution giving him the thanks of Congress..... 574
Presidential Mansion,
survey of land for a park and site for ... 461
President's House,
appropriation for refurnishing and repairing 2
appropriations for ..17–19, 25, 313, 325, 444
President's Message,
regulations as to printing papers relating to foreign affairs accompanying the annual 305
Prince Edward Island,
pay of consul at, established 225
Printed Matter
to be carried without extra charge on railroads conveying the mails 60
Printing. See *Congressional Printer, Public Printing*.
for commissioners to revise the statutes of the United States, to be done at the government printing-office..... 456
for the executive departments, to be done by government printer when practicable 467
when not, to be done at such office as the clerk of the House of Representatives may designate 467
rates of pay to be the current rates.. 467
Printing of Public Documents. See *Public Documents*.
act to regulate further the 305
Priority. See *Bankruptcy*.
of debts in distributions of bankrupt's estate 529
in dividends certain claims to have..... 531
order of priority..... 531
certain fees to have priority in payment.. 540
Prisoners,
appropriations for expenses of safe keeping of 198, 449
in the jail in the District of Columbia, Supreme Court of District to make rules for the government, discipline, and protection of..... 407
Prisons for American Convicts,
in Japan, China, Siam, and Turkey, rent of.....225, 414
Private Claims,
index to Senate list of, appropriation to continue 327
Private Land Claims,
act for final adjustment of, in Florida, Louisiana, and Missouri, extended for three years 544
Private Land Claims in California,
appropriations for, &c. 205

Prize Money,
bounty money of mariners, &c. enlisted into the army from the navy, not to be deducted from their..... 14
payments of, to be deemed income...140, 480
payment of, authorized to certain officers and enlisted men of the signal corps of the army..... 395
Probate Courts,
in Montana, jurisdiction of, extended to certain civil and criminal cases..... 426
but not to certain other cases..... 426
appeals allowed..... 426
Probate of Wills,
no stamp duty on, unless value of estate exceeds $1,000..... 475
Proclamations,
certain of the President, and acts done in pursuance thereof, and of his orders legalized..... 432
no court to have or take jurisdiction, &c. 433
all officers and others held prima facie to have been authorized..... 433
by the executive, law as to the publication of, in the District of Columbia... 467
See *Advertisements.*
declaring the insurrection at an end in certain States in the Union.....811, 813
warning against violations of the neutrality laws..... 813
declaring the decree of blockade of Metamoras and other Mexican ports null and void..... 814
declaring the insurrection at an end in Texas and throughout the Union..814, 817
appointing a day of thanksgiving and praise..... 817
declaring the rates of tonnage duty on French vessels entering ports of the United States on and after Jan. 1, 1867 818
calling public attention to the treaty regulation forbidding American merchant vessels stopping or anchoring in any place, &c. in Japan, except the three opened ports..... 819
declaring the suspension of acts imposing discriminating duties of tonnage and impost within the United States, as respects vessels of the Hawaiian Islands and their cargoes, from Dec. 10, A. D. 1866, and to continue until, &c..... 819
declaring the admission of the State of Nebraska into the Union complete.... 820
convening an extraordinary session of the Senate for April 1, 1867..... 821
Produce Brokers,
definition of, and special tax on..... 117
Produce of the Forests of Maine,
certain of, sawed in New Brunswick, &c. may be admitted free..... 56
Products
exempt from taxation, lists of..147–150, 476
Professor of Mathematics
in the navy, vacancies in grade of, not to be filled..... 38
Promotion,
of officers on the active list of the navy, not prevented by physical incapacity occasioned by wounds received in the line of duty 344, 345
of officers on the reserved and retired lists of the navy, provisions concerning.... 517
none to grade of rear-admiral on reserved list, while, &c..... 517
Propagation
of plants, cuttings, and shrubs, appropriations for..... 452
Property Clerk,
of metropolitan police district to have powers of notary public..... 213
authority and duty of.....213, 214
Proposals
for works, or for materials or labor for works, to be separate for each work and for each class of works..... 73
Proposals for Contracts. See *Advertisements.*
by executive departments, &c. in what newspapers in the District of Columbia to be published.....50, 467
Proof Spirit,
to be what.....157, 481
Pro-rata Compensation,
only, to be allowed any officer or agent of the United States..... 186
not to exceed an annual maximum..... 186
Prosecution of Crime,
appropriation for expenses of...198, 448, 449
Providence Hospital, D. C.,
for erection of additional building for... 317
if property is sold, &c. appropriation to be repaid from proceeds of sale..... 317
Provident Institutions. See *Savings Banks.*
Provincetown, Mass.,
appropriation for preservation of harbor of..... 323
Provisional Court for the State of Louisiana,
act to provide for the suits, judgments, and business of..... 344
Provisional Governments,
of States recently in rebellion..... 429
existing civil government to be provisional only, until, &c..... 429
who may vote under, and who eligible to office..... 429
Provisions and Clothing,
appropriations for bureau of...200, 201, 450, 451, 491
additional clerks in, authorized..... 208
Provost-Marshal-General,
office and bureau of, to be continued only so long as, &c..... 337
Provost-Marshal-General's Bureau,
appropriation to prepare, &c. medical statistics of..... 310
editions how to be disposed of..... 311
engraving and lithographing for.... 311
Provost-Marshals and Deputies,
provisions of pension laws extended to... 230
how to be ranked..... 230
Publication,
may be substituted for personal service, in the District of Columbia, on certain defendants, in certain cases.....403, 404
form of order of..... 404
summons first to issue and be returned "not to be found"..... 404
in the rebel States, of laws, treaties, advertisements by heads of departments, and judges of the United States courts, to be only in the newspapers selected by the clerk of the House of Representatives.....466, 467
heads of departments and judges to be notified, and to publish only in such newspapers.....466, 467
compensation therefor.....466, 467
Public Binding,
appropriations for.....41, 193, 373, 443

Public Buildings,
appropriations for office of commissioner of.....197, 198, 447
salary of commissioner of, established... 206
appropriation for preservation and repairs of..... 17, 310, 325, 373, 374
Public Buildings and Grounds,
in Washington, D. C., appropriations for the....17–19, 205, 310, 314, 315, 325, 373, 374, 462, 464, 469
Public Debt,
not to be increased by disposal of bonds received in exchange for treasury notes, or others named..... 32
Public Documents,
an act further to regulate the printing of 305
twenty-five hundred copies of annual reports of executive departments and documents, to be printed for use of departments..... 305
documents not to exceed three hundred pages..... 305
additional copies of papers relating to foreign affairs accompanying the annual message of the President..... 305
how distributed..... 305
in report of Secretary of Navy, detailed statement of offers for supplies, &c. to be omitted..... 305
a schedule, embracing the offers by classes, to be submitted in lieu thereof..... 305
resolution to provide for the exchange of..... 573
See *Exchange of Public Documents.*
Public Gardener,
appropriations for..... 205
Public Grounds. See *Public Buildings and Grounds.*
appropriations for.....17, 205, 310, 373, 462
Public Lands. See *Lands, Public.*
appropriations for expenses of surveying, in certain States and Territories.. 318, 465
Public Printing,
deficiency appropriation for 41, 373
for paper for..... 373
office of superintendent of, abolished.... 399
appropriations for.....193, 443
Public Revenue,
appropriations for contingent expenses in collection, &c. and disbursement of the..... 203, 453, 454
Public Securities. See *Penalty.*
act to punish certain crimes in relation to the.....383, 384
Public Stores,
time of withdrawal of certain goods from, for consumption, extended..... 8
provisions as to such withdrawal... 8
proceeds of goods sold after remaining three years in, less expenses, to be paid to owners, &c..... 330
Public Vessel,
for transportation of supplies of food and clothing to the people of the Southern States 567
Public Works,
appropriations for the repair, preservation, and construction of certain, heretofore commenced.....70, 418–422
examinations and surveys.....71, 74, 418
on Atlantic and Pacific coasts..... 418
northwestern lakes..... 418
western and northwestern rivers.... 418
Public Works, (continued.)
re-examinations, &c. to be made with suitable surveys and plans may be changed 71, 418
other harbors and places to be examined, to determine the improvements required and the cost.....71, 74, 418
report to Congress..... 418
balance of existing appropriations may be applied to continue, &c. such works, when, &c..... 419
appropriations for improving certain harbors, bays, rivers, and flats....71–74, 419, 420, 421
navigation of the St. Croix river, Maine, above the ledge..... 420
province of New Brunswick to contribute and pay a like sum..... 420
but never more than half the sum actually expended therefor... 420
navigation on the Mississippi river at Des Moines, or the Lower Rapids 420
any canal constructed around such rapids to be free of tolls 420
for dredges and snag-boats on certain Western rivers.....71, 421
Secretary of Navy to transfer to Secretary of War necessary steamers 71
for removing snags and boulders in the Minnesota river..... 421
for breakwaters 71–73
to be so applied as to complete the works 73
to be at disposal of the Secretary of War until the works are completed 74
may be applied for other purposes than examinations, &c. by contract 73
former appropriation for harbor at Michigan City, how to be expended..... 421
double the amount must have been first expended by the Michigan City Harbor Company..... 421
vessels not to be subject to toll..... 421
appropriations to be under the control of the Secretary of War, and subject to his disposal..... 422
to be so applied as to complete, or approximate the completion of, the works..... 421
may be applied for other purposes than for examinations and surveys by contract 421
how to be expended when the work cannot be the subject of contract..... 421
contracts not to be made, until after advertisement, &c.....73, 421
to be made with lowest responsible bidder 421
separate proposals and contracts for each work and each class of works 73, 74, 421, 422
disbursing officers, except army officers, to give bond, &c.....74, 422
army officers to receive no commissions on disbursements.....74, 422
examinations, or surveys, or both, to be made at various points..... 422
to be continued at certain other points 422
plans and estimates for improving the harbor of Galveston, Texas 422
for erecting a breakwater at that point 422
report to Congress of results of examinations and surveys, and estimate of costs 73, 421

Public Works, (continued.)
to state what..... 73, 421
to be continued until works are completed..... 73, 421
Public Works and Improvements
of the United States in the District of Columbia, chief engineer of the army to superintend..... 466
Pugsley, Frank,
payment to, as a private soldier..... 636
Pulaski,
appropriation to purchase bust of..... 464
Purcell, Sarah J.,
pension to..... 594
Puyallups,
appropriations for the.....261, 502, 503
Pyle, John,
pension to.....603

Q.

Quapaws,
appropriations for the.....263, 506
Quarantine,
United States vessels or hulks, not required for other use, to be placed at the disposal of commissioners of, in any ports of the United States 351, 569, 570
Quarantine and Health Laws,
joint resolution respecting..... 357
authority given by, when to expire.. 357
Secretary of Treasury may make, &c. quarantine regulations against cholera, in aid of State authorities..... 357
revenue officers and cutters to aid in enforcing..... 357
appropriation..... 357
Quartermaster-General,
appropriations for, and for office of 25, 199, 449
temporary clerks in office of.....326, 470
additional employees in office of..... 449
superintendent of building for office of.... 327
rank, pay, and emoluments of..... 334
appointment of..... 336
six assistant quartermasters-general..... 334
ten deputy quartermasters-general..... 334
fifteen quartermasters..... 334
forty-four assistant quartermasters..... 334
vacancies created in grade of assistant quartermaster, how filled..... 334
as vacancies occur in the grades of major and captain, no appointments to be made until the number of majors is reduced to twelve, and that of captains to thirty..... 334
numbers afterwards to conform to reduced numbers..... 334
Quartermasters,
number, rank, pay, &c. of..... 334
provision as to vacancies, &c..... 334
Quartermaster's Department. See *Advertisements*.
appropriation for expenses 90, 91
advertisements for bids for contracts for, to state what..... 92
hereafter to consist of what officers, &c..... 334
number of military storekeepers in, not to exceed sixteen..... 334
provisions of former act extended..... 334
Quartermaster-Sergeant,
of battalion of engineers, pay and allowance of..... 393
Quarters,
appropriation for hire of..... 91
Quebec,
compensation to consul at..... 312
salary of consul at, established..... 414
Quil-leh-utes,
appropriations for the.....270, 506, 514, 515
Qui-nai-elts,
appropriations for the.....270, 506, 514, 515
Quindaro Mission. See *Wyandotte Indians*.
act for relief of the trustees and stewards of..... 309
Quintard, George,
may receive transfer of the iron-clad "Onondaga," upon payment, &c..... 543

R.

Rader, Samantha,
pension to..... 598
Radford, Commodore William,
may accept a decoration..... 607
Railroad,
across Rock Island, position of, may be fixed, &c..... 75
in Minnesota, from Houston to western boundary of State, grant of public lands to..... 87
from Hastings to western boundary of State..... 87
from Saint Paul to Lake Superior..93, 97
from Saint Paul, Saint Anthony via Minneapolis..... 97
Railroad Bridge at Rouse's Point,
declared a lawful structure and made a post route..... 51
how to be maintained..... 51
draws therein, how to be made and used.. 51
Railroad Companies,
carrying the mails, to convey printed matter without extra charge..... 60
where roads are operated by steam, may carry over its road passengers and freight from one State to another, and connect with roads of other States to form continuous lines..... 66
existing contracts and conditions not affected..... 66
no right given to build new road without authority of State..... 66
Railroad or Canal Companies,
to, or for whose benefit, grants of land, or of rights of way are made,—
Amboy, Lansing, and Traverse Bay 78, 425
Atlantic and Pacific..... 292
Burlington and Missouri River..... 349
Cairo and Fulton..... 339
California and Oregon.....239, 548
Cascade..... 31
Central Pacific of California....80, 239
Flint and Pere Marquette..... 78
Humboldt Canal Company..... 64
Iron Mountain and Extension..... 83
Kansas and Neosho Valley..... 236
Lac La Belle Harbor Improvement Company..... 80
Lake Superior and Mississippi..... 93
Leavenworth City..... 212
Little Rock Branch..... 339
Little Rock and Fort Smith Branch.. 339
Oregon.....239, 241, 374, 409
Placerville and Sacramento Valley .. 94
Portage and Superior..... 361
Portage Lake and Lake Superior Ship Canal Company..... 81

Railroad or Canal Companies, (continued.)
Saint Joseph and Denver City..... 210
Union Pacific Railroad Co.....80, 367
Union Pacific Railroad, Southern Branch..... 289
Union Pacific Railway Co. 79, 80, 355, 367
Western Pacific.....356
Railroads,
tax upon gross receipts from passengers and mails..... 135
dividends, &c. of..... 139
having right to land grants in Michigan, may unite and form a continuous line of road..... 79
in Michigan, may have rights of Amboy, &c. Road, if, &c..... 78
Ramirez José Serafin,
land claim of, in New Mexico, confirmed 588
claim of the United States only released..... 588
Randall, Caroline A.,
resolution for relief of..... 610
Randall, Charles B.,
payment to legal representatives of..... 610
Range Lights,
on Morris Island, to be built by contract 425
appropriations for..... 460
Ranney, Isaac,
to be credited with amount of stamps stolen..... 611
Ransom, Eleanor C.,
payment to..... 602
Ration,
officers of revenue-cutter service on duty to have one navy, per day..... 416
cadets of military academy entitled to that now received by acting midshipmen at the naval academy..... 416
Rations,
of Union soldiers, sailors, and marines held as prisoners of war in the rebel States..... 364
provisions of law as to commutation of, to apply to enlisted men who died as prisoners of war or after their release. 423
to whom to be paid..... 423
one additional, to general officers for every five years of service..... 423
Real Estate,
when may be sold for non-payment of taxes.....108–110
proceedings as to such sales.....108–111
when may be bought in for the United States..... 108
may be redeemed within one year upon payment, &c..... 109
records of sales to be kept by collector.. 110
entry to be made therein when land is redeemed..... 110
conveyed, &c. to the United States in payment of taxes, provisions concerning.. 472
Real Estate Agents,
definition of, and special tax on..... 118
Ream, Miss Vinnie,
contract may be made with, for statue of President Lincoln..... 370
Rear-Admiral,
no promotion to grade of, on the retired list, while, &c..... 517
Rear-Admirals,
grade and number of, in the navy, established..... 222
who may be promoted to grade of, on retired list..... 222
Reassessments,
of property and tax under the internal revenue law may be made..... 103
valuation not to be increased, except after notice of five days..... 103
taxes wrongly assessed at second assessment not to be refunded 111
Rebellion,
medical and surgical history of, appropriation for volume one..... 310
how to be disposed of..... 311
engraving and lithographing therefor 311
provision for publication of the official history of the..... 369
Rebel States,
act to provide for the more efficient government of the..... 428
preamble, names of the..... 428
divided into military districts, and subjected to military authority..... 428
five districts, and States composing each district..... 428
command of each district to be assigned to an army officer. not below the rank of brigadier-general..... 428
sufficient military force to be detailed to enable commander to perform his duties and enforce his authority..... 428
commanders of districts, general duties of 428
may allow local civil tribunals to take jurisdiction of, and try offenders.. 428
may organize military tribunals.... 428
certain sentences of, not to be executed, until, &c..... 428
interference under color of State authority declared null and void.... 428
persons under military arrest by virtue of this act to be speedily tried 428
sentences of death under this act, not to be carried into effect until approved by the President..... 428
conditions upon which such States shall be declared entitled to representation in Congress..... 429
constitution to be formed in conformity with, &c..... 429
delegates to, by whom to be elected. 429
certain persons not eligible as members of convention..... 429
provisions of, as to elective franchise 429
to be ratified by popular vote..... 429
to be approved by Congress..... 429
amendment of the Constitution to be adopted by..... 429
Senators and Representatives to be admitted to Congress upon taking the oath. 429
this act becomes inoperative..... 429
civil governments of, provisional only, until they are admitted to representation 429
under provisional governments, who may vote, and who are eligible to office.... 429
Receipts
for payment of special tax for trade, &c. to be given by the collector..... 113
to state what, in regard to each trade, &c..... 113
for any sum of money, &c. stamp tax on 144
where more than one signature is affixed to the same paper..... 144
the word "money" to include drafts, &c..... 144
Receiving, &c. Stolen or Embezzled Property,
in the District of Columbia, punishment for.....406, 407

Receiving Cisterns,
how to be provided and constructed..... 158
Reciprocity Treaty,
appropriations for pay of commissioner and surveyor under..... 19
certain duties upon produce in transit, upon expiration of, to be refunded...42, 43
Record and Records,
general orders for regulating the filing, custody, and inspection of, in bankruptcy proceedings..... 521
of assignment of bankrupt's estate..... 524
proceedings in all cases of bankruptcy to be matters of..... 535
how to be kept..... 535
copies duly certified to be evidence..535, 536
Recorder of Land Titles in Missouri,
appropriations for.....198, 448
Recruiting and Recruits,
appropriations for.....90, 485
Rectifiers. See *Internal Revenue.*
definition of, and special tax on..... 117
who to be deemed, and what presumptive evidence thereof..... 153
Redemption,
of real estate sold for taxes, may be had within a year from sale..... 109
of personal property, distrained..... 107
Red Lake Band of Chippewas,
appropriations for the.....271, 496, 497
Redyeing of Cloths,
no tax upon..... 475
Reece, Dempsey,
to be discharged from contract for carrying the mail..... 644
Reed, Charlotte E.,
pension to..... 598
Refugees,
moneys raised for support of, and received by any army officer to be charged to him..... 65
expenditures properly made to be credited..... 65
balance to be paid into treasury for fund for relief of..... 65
officers not paying over balance in their hands, how treated..... 65
accounts for expenditures for, to be paid from what fund, and how..... 65
appropriations for bureau of.....92, 486
bureau for relief of loyal, &c. provisions concerning.....173–177
Refunding,
of excess of moneys paid for duties, without compliance with certain forms of law..... 329
of direct taxes illegally collected, authority for the..... 568
Register and Receiver,
for Idaho land district..... 77
for new land office in Oregon..... 83
when and how may be appointed in additional land districts..... 252
Registered Vessels,
American, licensed under a foreign flag during the rebellion, not to be deemed American without an act of Congress.....3, 212
Register of Deeds,
books of record and shelving in the office of, in the District of Columbia..... 464
Register of the Treasury,
appropriation for, and for office of, 195, 196, 445, 446
Register of Wills in the District of Columbia,
rooms and vault to be provided for use of 317, 318
Registers, American,
to issue to the steam vessels the "Michigan," "Dispatch," and "Wm. K. Muir"..... 40
Registers, American, or Enrolment and License,
to issue to certain vessels.....40, 41
Registers and Receivers,
in certain additional land offices, pay of..... 470
in Arizona land district..... 543
Montana land district..... 543
Registers in Bankruptcy. See *Bankruptcy.*
mode of appointment of..... 518
not eligible unless a counsellor, &c..... 518
bond and oath of office of..... 518
their powers and duties.....519, 520
to keep dockets and forward them to district clerk..... 519
may interchange duties..... 519
what they may not do..... 519
to state issues of fact for the courts..... 519
not to be of counsel or attorney, in court or out of court..... 519
nor assignee, executor, appraiser, divider, &c..... 519
fees of, and how established.....519, 540
to attend, under order of courts, at any place in district to hear voluntary applications, &c..... 519
travelling and other expenses, how paid..... 519
depositions and other acts before, to be reduced to writing..... 519
to be filed in clerk's office as part of proceedings..... 519
removal of, and filling vacancies..... 519
to state points or matters for the opinion of court..... 520
may compel attendance of witnesses and parties..... 520
to refer to judge when persons refuse to answer or sign examination, &c..... 520
to prepare list of creditors entitled to dividend, give notice to creditors, &c..... 530
may take evidence..... 536
penalties against, for offences under the bankruptcy act..... 539
fees of, for papers and pay for services.. 540
Registry,
certificates of, or enrolment and license, to issue to certain vessels..... 255
Reimportation,
products of the United States reimported, upon which no internal duty has been paid, to pay an import duty equal to the internal revenue tax..... 330
Remission
of forfeiture and fines, applications may be made for certain, under customs revenue law.....181, 182
Remission and Refunding,
of taxes wrongly assessed..... 111
of amounts paid by collectors on judgments against them..... 111
in cases of second assessment, taxes not to be refunded, unless, &c..... 111
of proceeds of sale of forfeited goods.... 169
Removal,
neglect of officer to pay over money to be cause of.....187, 188

Removal of Causes,
from State courts to United States courts 558, 559
certain suits now pending in State courts may be removed to the next circuit court in the district where the suit is pending, upon affidavit filed in State court by either party that justice cannot be had in the State court.....558, 559
proceedings thereon..... 559
State court to proceed no further.... 559
bail, attachments, injunctions, &c. to continue in full force..... 559
for damages for arrests, &c. from State courts to the United States courts.... 46
proceedings in such cases.....46, 47
against revenue officers from State courts to circuit courts of the United States.. 171
proceedings for removal..... 171
custody of defendant..... 171
attachments, bail, &c..... 172
cases already removed remanded, unless, &c..... 172
of certain suits from State courts to the United States circuit courts, provisions concerning the.....306, 307
suits where the matter in dispute exceeds $ 500, in State courts, against aliens, or by citizens of the State where brought against any citizen of said State and a citizen of another State, if the suits are, &c. may be 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.....306, 307
proceedings for removal..... 307
State courts to proceed no further.. 307
attachments, injunctions, bonds of indemnity..... 307
plaintiff may proceed in State court against other defendants..... 307
copies of pleadings to have same effect as originals..... 307
Rent,
rights of landlord as to personal chattels of his tenant for, in the District of Columbia..... 404
Repairs of Public Buildings,
appropriations for..... 373
Replevin,
form of declaration and practice in cases of, in the District of Columbia....404, 405
Reporter of Decisions of Supreme Court,
salary of, established..... 205
to deliver three hundred copies of reports, &c..... 205
to be allowed eight months for publication of his reports..... 51
appropriation for salary of..... 455
for purchase of reports of..... 455
if second volume of reports is published in any year, additional compensation to..... 471
Reporters for the Congressional Globe,
additional compensation to.....441, 443
Reports of Executive Departments,
regulations as to printing the..... 305
Representatives and Delegates in Congress,
appropriation for compensation and mileage of.....192, 441, 442
complete set of Congressional Globe and Appendix to certain..... 442
pay and mileage of, established..... 323
Reprinting of Cloths,
no tax upon..... 475
Republican River, Kansas,
grant of land to Kansas, to aid in the construction of a bridge over the..... 574
Reservations, (Indian,)
set apart for the Chippewas of Swan Creek, &c..... 657
mode and order of selections of land thereon.....657, 658
for the Winnebagos.....667, 668
granted to the Camanche and Kioway Indians..... 718
set apart by the United States for the Bois Forte band of Chippewas....765, 766
part of that of Delawares may be sold... 794
Reservations, Public,
appropriations for.....462, 464
Reserve,
of national banking associations, temporary loan certificates may form part of 558
two fifths of, to be lawful money..... 558
Reserved List of the Navy,
officers on the, may be promoted as their several dates on the active list are promoted..... 517
promotion not to entitle to pay, unless, &c..... 517
none to grade of rear-admiral, while, &c..... 517
Retail Dealers,
definition of, and special tax on..... 115
Retail Dealers in Liquors,
definition of and special tax on.....116, 474
penalty for carrying on business without payment of special tax..... 473
fine and imprisonment..... 473
Retained Bounty Fund,
commissioner of bureau of refugees, &c. constituted the custodian of, and appointed trustee..... 545
may invest the fund and for what purpose..... 545
provisos..... 545
Retired List of the Navy,
pay of navy officers on the, and not on duty..... 345
officers on, may be promoted, as their several dates in the active list are promoted..... 517
promotion not to entitle to pay, unless, &c..... 517
none to grade of rear-admiral, while, &c..... 517
Retirement
of regular-army officers, provisions concerning..... 337
Retrenchment,
appropriation for expenses of joint committee on..... 564
Revenue,
compilation of laws relating to the....22, 367
act to protect, of July 28, 1866..... 328
expenses of collection of, from customs, appropriation for..... 354
Revenue Agent at New York,
appropriation for the..... 22
provision for pay of, repealed..... 321
Revenue Agents, Internal,
appropriation for salaries and expenses of.....205, 445
Revenue Cutters,
certain, may be sold at public auction... 40
proceeds of sale, how applied..... 40

Revenue-Cutter Service,
act to fix the compensation of the officers of..... 416
officers to have one navy ration a day when on duty..... 416
appropriation..... 416
share of officers of, in proceeds of fines, penalties and forfeitures from seizure for breach of customs laws, when officer of revenue cutter is informer...546, 547
See *Fines, &c.*
Revenue Officer,
falsely representing one's self to be, and acting as such, &c. how punished 484
Revenue Officers,
for injuries done them under the revenue laws, may bring suits for damages in the circuit court of the United States..... 172
to destroy empty cigar-boxes, on which stamp is found..... 484
Revenue Officers and Cutters,
to aid in enforcing quarantine and health laws..... 357
Revision and Consolidation
of the statutes of the United States, appropriation for expenses of the.....455, 456
Revolutionary Soldiers,
pensions of widows of, increased..... 566
increase to date from September 30, 1865 566
Rewards
for the capture of the assassins of President Lincoln, &c., division and payment of..... 34
Reynolds, Commander William,
may be restored to the active list of the navy..... 352
Rhode Island,
post-road established in..... 189
time and place of holding the circuit court of the United States in the district of.. 399
Richardville, Joseph (Senior and Junior),
letters of occupants of certain lands conveyed to, by the United States, quieted 326
Riddle, James,
pension to..... 626
Ridgway's Patent Revolving Battery,
grant of use of Dahlgren guns to John Ridgway, for experimental trials of... 570
Right of Way,
through the public lands granted to the Humboldt Canal Company for canal, &c..... 64
the Saint Joseph and Denver City Railroad Company..... 211
the Kansas and Neosho Valley Railroad Company..... 237
the Leavenworth, Lawrence, and Fort Gibson Railroad Company 238
the Union Pacific Railroad Company, southern branch..... 238
the California and Oregon Railroad Company..... 239
an Oregon company.....239, 241
to A. Sutro, for a tunnel to the Comstock lode..... 242
to ditch and canal owners.....251, 253
for public highways..... 253
to the Union Pacific Railroad Company, southern branch, from Fort Riley to Fort Smith.....289, 291
to the Atlantic and Pacific Railroad Company..... 294
to Arkansas and Missouri for a railroad from the Mississippi river, opposite the mouth of the Ohio, via Little Rock, to the Texas boundary, near Fulton, Arkansas.....338, 339
to Union Pacific Railroad Company and its branches..... 367
for railroad granted by the Seminoles 757, 758
by the Choctaws and Chickasaws... 771
by the Creeks..... 787
by the Delawares..... 800
by the Cherokees..... 801
for highways and railroads, through the reservation of the Osages, granted..... 689
through reservations of the Cheyennes, Arrapahoes, and Apaches.. 703
Riley, J. H.,
payment to, for services as clerk of a House Committee..... 646
Rittenhouse, Paymaster J. B.,
to be released from accountability for money stolen, &c..... 578
Rivers. See *Public Works.*
appropriations for examinations, &c. of works of various, and for surveys of 71–74, 419–422
for dredges and snag-boats..... 421
for removing snags and boulders... 421
Rivers, Western and Northwestern,
appropriation for survey, &c. of public works on..... 418
Robbery,
punishment for, of property belonging to the United States..... 557
Roberts, Levi M.,
pension of, increased..... 633
Rock Island,
position of railroad across, and the bridge across the river to be established..... 75
permanent location and right of way granted to railroad..... 75
pecuniary and other aid given....75, 76
small islands adjacent thereto may be taken possession of..... 76
appropriations for armory and arsenal at 76
appropriation for erection of a bridge at 485
ownership of bridge to be in the United States..... 485
Rock Island and Pacific R. R. Co. to have right of way over bridge and island, if, &c..... 485
to pay half the cost of the bridge... 485
to bear half the expenses of keeping it in repair..... 485
water power for arsenal at..... 573
Rock Island and Pacific R. R. Co.,
to have right of way over bridge at Rock Island, and transit across the island, if, &c..... 485
to pay half of cost of bridge..... 485
half of expense of keeping it in repair..... 485
Rodd, Charles H.,
to have eighty acres of land for services to the Chippewas..... 658
Rogers, Darius,
patent to issue to, for one hundred and sixty acres of land, including his mill and improvements..... 689
he may purchase one quarter-section adjoining..... 689
Rogers, John,
pension to..... 631

Rogue Rivers,
appropriations for the.....263, 506
Rome,
no money to be paid for the support of an American legation at..... 413
salary of consul at, established..... 414
Roofs, Copper or Slate,
for replacing galvanized iron roofs..... 461
Rotch, F. M.,
payment to, for article on cattle in agricultural report..... 469
Round Valley Reservation,
appropriation for saw and grist mill for.. 513
Route Agents,
in the Post-Office Department, pay of, established..... 378
Rowold, Charles O.,
payment to the mother of..... 643
Rudd, Henry,
payment to, for losses and compensation for horses purchased and delivered under contract with the government..... 634
Russell, John,
pension of, increased..... 628
Russia, Emperor of,
congratulations of Congress upon the escape of the, from assassination..... 355
Ryan, Abigail,
pension to..... 590

S.

Sacs,
appropriations for the..... 263
Sacs and Foxes,
appropriations for the.....506, 507
the band of, in Tamar County, Iowa, to be paid pro rata, their annuities, by agent of State government, while they are peaceful and remain in Iowa..... 507
Safety Valves
on boilers of steamers, how loaded and secured..... 227
Sailing Vessels,
may transport mails, when, &c..... 49
pay to be accruing sea postage..... 49
Sailors,
cemeteries for the burial of deceased, established..... 399
Saint Augustine,
salary of collector of customs at, established..... 308
Saint Catherine's (Brazil),
pay of consul at, established..... 225
Saint John (Canada East),
pay of consul at, established..... 225
Saint Joseph and Denver City Railroad Company,
lands granted to Kansas, to aid in the construction of..... 210, 211
general provisions of act granting....210, 211
right of way, &c. granted to, through public lands..... 211
Saint Louis and Illinois Bridge Company,
may construct and maintain a bridge across the Mississippi river between Saint Louis and East Saint Louis 245, 246
question of obstruction to navigation by, where to be tried..... 246
draw in, how constructed..... 246
Saint Louis, Missouri,
documentary evidence of titles to be furnished to owners of certain lands in..62, 63
district court may decree the title of the United States to him having the best claim..... 63
certain lands not to be released..... 62
proceedings to obtain a decree.....62, 63
effect of decree..... 63
transcript of final decree to be sent to commissioner of general land office..... 63
appeal to circuit court, and its jurisdiction..... 63
proceedings in circuit court..... 63
question may be certified to Supreme Court of the United States, when, &c... 63
title of the United States in the streets, &c. conveyed to..... 63
Saint Mark's,
salary of collector of customs at, established 308
Salaries
of persons employed in the customs or internal revenue, provisions as to payment of..... 185
not to be paid until oath is taken, &c. 185
only pro rata allowed for time of service. 186
Saleratus,
where may be made or manufactured.... 154
Sales,
and contracts for sale, by brokers, banks or bankers, stocks, bonds, bullion or coin, to pay tax of one cent for every $100 of sales..... 134
by those not paying a special tax, five cents on $100..... 134
memorandum of, to be given, and stamps placed thereon..... 134
to show what..... 134
fractional part of $100 to be accounted $100..... 134
penalty for selling, &c. or delivering or receiving stocks, &c. without a memorandum..... 134
for delivering or receiving memorandum without stamps..... 134
how to be recovered..... 134
suits to be brought within one year.. 134
when recovered how distributed.... 134
not to be incurred where there was no intent to evade the law..... 134
laws in relation to stamp tax to apply hereto..... 134
effect of, under decrees in equity, in the District of Columbia, upon right of former owner..... 406
court may order particular forms of conveyance..... 406
for non-payment of taxes, in case of, the certificate of sale to be prima facie evidence of the regularity and validity of sale, and of the title of the purchaser 568
of certain distilled spirits at less price than the tax, to be prima facie evidence that the spirits are subject to forfeiture 482
this provision not to apply to certain sales by auctioneers, or by judicial or executive officers..... 482
See *Internal Revenue.*
"Saloon Stores or Supplies,"
to be entered and pay duty..... 183
Salt,
used in curing fish, duties on may be remitted..... 328
Saluria,
salary of collector of customs at, established..... 308

San Domingo,
consulate established at, and added to schedule B..... 414
salary of consul at..... 414
Sandwich or Society Islands,
vessels sailing between the United States and, not to pay tonnage duty more than once a year..... 328
San Francisco,
right of the United States to certain lands in, released to..... 4
title of the city thereto confirmed... 4
valid adverse rights not affected.... 4
mail steamship service between Japan and China and..... 49
pay of appraisers, general and local, deputy collectors, naval officers, and surveyors, and custom-house weighers at, established 308
additional compensation of twenty-five per cent continued to the above officers 308, 309
San Francisco, The Wrecked Steamship,
rewards and gold medals for the preservation of the passengers, officers, and men of the.....365, 366
Sans Arcs,
appropriations for the 274, 509, 510
Sans Arcs Indians,
treaty with, of October 20, 1865..... 731
authority and jurisdiction of the United States acknowledged..... 731
persons and property of other tribes not to be first attacked..... 731
controversies to be submitted to the arbitration of the President..... 731
Indians to withdraw from overland routes 732
annuities for twenty years.....732, 733
individual Indians locating upon lands to be protected.....732, 733
twenty lodges or families locating upon lands for agricultural purposes, to receive a sum annually for tools, &c. 732, 733
teachers, farmers, and blacksmith....732, 733
amendments to be binding.....732, 733
ratified with amendments..... 734
Santa Clara,
California, act to quiet land titles in the town of..... 418
effect and extent of act..... 418
Santa Cruz, California,
title of the United States to land in, granted to, in trust 209, 210
Santa Cruz,
pay of consul at, established 225
Santa Fe,
appropriation for depositary at 327
Saunders, Lewis,
additional annual compensation to..... 443
Savings Banks,
certain, not subject to special tax..... 115
exempted from tax for deposits invested in United States securities..... 137
for deposits of less than $500 in the name of any one person..... 137
returns of, when to be made..... 137
what not to be considered dividends of... 138
Sargent, Nathan,
to be the name of the person heretofore called Nathan Sargent Dustin..... 633
Sawyer, Sylvanus,
patent of, for improvement in machines for cutting ratan, extended..... 633
intervening rights of others saved... 633
Sawyer, William,
certain lands in Ohio, described in act for relief of, to be reapprised..... 608
Scattergood, Mercie E.,
pension to, in lieu of present one..... 597
Schedule. See *Bankruptcy.*
of creditors and debts in proceedings in bankruptcy..... 521
where proceedings are involuntary.. 537
may be corrected 529
Schedule A..... 135
Schedule B,
amended.....144, 145
Schedule C,
amended.....144, 145
penalty for making or selling any of the articles named in, without affixing the proper stamp..... 144
those offering the articles named therein for sale to be deemed the manufacturers..... 144
such articles, if imported, to pay stamp tax..... 144
Scheldt Dues,
appropriations for second annual instalment of contribution towards the capitalization of.....226, 415
Schoenmaker, John,
one section of land, with the improvements of the Catholic misson among the Osage Indians thereon, granted to. 688
he may select two sections adjoining 688
one section may be set apart for, in the diminished reservation of the Osages, for school purposes..... 689
"School Farms"
in parish of Saint Helena, South Carolina, may be sold at public auction, subject to leases..... 175
School Fund,
provision for, in treaty with the Great and Little Osages 688, 689
School-Houses,
sites and buildings for, in Washington County, D. C..... 316
School Lands in California,
selections in lieu of certain, 16th and 36th sections 220
Schools,
in the parishes of Saint Helena and Saint Luke, South Carolina, how may be supported.....175, 176
for enlisted men at posts, garrisons, and permanent camps..... 336
what to be taught..... 336
building for school and religious purposes..... 336
for colored children in Washington, D. C., grant of certain lots of land for the sole use of..... 343
sections 16 and 36 in each township among the Choctaws and Chickasaws, set apart for..... 776
Schuylkill Arsenal,
fire-proof buildings for 92
Scotland, The Steamship,
wreck of, may be removed by contract, from entrance to New York harbor.564, 565
appropriation therefor..... 565
contract not to exceed..... 565
Scotons,
appropriations for the 256, 493, 494
Scott, Winfield, Brevet Lieutenant-General,
a bronze equestrian statue to be erected to 571

Sea-coast Defences,
purchase of sites for 62
title to, to be approved.. 62
appropriation to purchase sites for permanent 488
for temporary..... 488
title to be passed by Attorney-General..... 488
expediency of purchase to be approved by the Secretary of War.. 488
Sea-going Steam Vessels,
when under way, except upon the high seas, to be under the direction of pilots, if subject to the navigation laws of the United States..... 412
State regulations not affected..... 412
Seal
of court of bankruptcy, counterfeiting of, how punished..... 539
Seamen, American,
appropriations for relief and protection of, in foreign countries 224, 413
for relief of sick and disabled 21, 310
acknowledging services in rescue of, from shipwreck.....224, 413
in the merchant service, prohibited from wearing sheath-knives..... 304
persons offering to ship as, to be notified of the law..... 304
appropriation for deficiency in fund for the relief of sick and disabled..... 455
Searches and Seizures,
provisions for, under the customs revenue laws 178–188
Search Warrants,
how and by whom may be issued to search premises to detect frauds upon the revenue..... 152
Sea Stores,
purchase of, by master, &c. of enrolled and licensed vessel on northern, &c. frontiers, at any port in the adjacent British provinces, to be reported at first port of arrival in the United States 183
duty to be paid on excess 183
Sea Walls,
appropriations for, on islands in Boston harbor 61
Seavey's Island,
appropriation to purchase..... 35
condition of purchase..... 35
if whole, with improvements, cannot be bought for sum appropriated, the public use of the bridge from the island to be discontinued..... 35
Second Assistant Engineers
in the navy, appointment, rank, and pay of..... 223
Second Assistant Secretary of State,
appointment and salary of..... 226
Second Auditor,
appropriations for, and for office of..195, 196, 445, 446
Second Comptroller,
appropriations for, and for office of..194, 196, 444, 446
Secretaries of Legation and Assistant Secretaries,
appropriations for.....224, 413
Secretary of the Admiral,
appointment and pay of..... 223
rank, pay, and allowances of..... 516
Secretary of State,
tenure and term of office of..... 430
Secretary of State, (continued.)
appropriations for office of.....19, 444
removal and fitting of office of..... 326
to send copies of section twenty-five of the act to prevent smuggling — the same being in relation to the manifests of vessels owned in whole or in part by foreigners — to all consular officers of the United States in foreign countries 184
to approve accounts of certain consuls and consular agents..... 226
to make general regulations as to participation in the industrial exposition of Paris..... 348
may renew the contract with Little, Brown, and Company for the annual publication of the Statutes at Large..... 352
may hire, &c. suitable buildings for accommodation of department..... 362
copies of Appendix to diplomatic correspondence for 1865, for distribution... 570
to take the steps necessary to obtain from the United States of Columbia authority for the United States to make the necessary surveys of the Isthmus of Darien for ship canal between the Atlantic and Pacific Oceans 571
to procure and present to Captain James G. Smith, master of the British brig Victoria, a gold chronometer, for rescuing from death the passengers, officers, and crew of the American brig E. H. Fitler..... 451
Secretary of the Interior,
tenure and term of office of..... 430
appropriations for the office of the...197, 447
to approve of selections by Wisconsin, of public lands given to aid in the construction of a breakwater, and harbor and ship canal..... 30
to cause patents for lands to issue to the Amboy, Lansing, and Traverse Bay Railroad Company..... 79
to reserve from sale lands on the route of the Union Pacific railway, eastern division..... 79
to consent to location, &c. of Union Pacific Railroad Company, from Omaha, westward, and of Central Pacific Railroad Company, eastward..... 80
to withdraw from sale lands, and issue patents for the State of Michigan for ship canal.....80, 81
duty of, under grants of land to the States of Missouri and Arkansas, in aid of the extension of the Iron Mountain Railroad.....83–85
may vary, in extending public surveys to Nevada, the lines of subdivisions from rectangular form..... 86
duty of, under grant to Oregon, for military wagon road.....86, 87
to Minnesota, for aid of railroads in that State.....87–89
to certify to Minnesota the lands heretofore granted to the State for the construction of railroads..... 97
duty of, under grant of lands to the Saint Joseph and Denver City Railroad Company..... 210, 211
under act authorizing the construction of a jail in the District of Columbia.....231, 232
duty of, under act to establish a house of

Secretary of the Interior, (continued.)
correction for boys in the District of Columbia....232–235
under the act granting lands to aid in the construction of the Kansas and Neosho Valley Railroad. 236–239
under the grant of land to aid the California and Oregon Railroad Company in the construction of a railroad and telegraph line...239–241
under the act granting right of way to A. Sutro.... 242
to make examination, whether certain money is due for supplies furnished destitute Indians of the southern superintendency.... 280
duty of, under the act granting lands to aid in the construction of a southern branch of the Union Pacific railway and telegraph....289, 290
granting lands to the Atlantic and Pacific Railroad Company... 295–299
duty of, in regard to procuring paper for the public printing, and in relation to the contracts therefor.... 306
under the act reviving and extending the grant of lands to the States of Missouri and Arkansas for railroad purposes.... 338
to cause the office of surveyor-general of Iowa and Wisconsin to be removed to Plattsmouth.... 344
to distribute by mail four hundred copies of the American State papers.... 361
to make payment to certain tribes of Indians of Michigan.... 370
to contract with Miss Vinnie Ream for a life-size model and statue of President Lincoln.... 370
to approve places designated for the erection of penitentiary buildings in certain Territories, and to direct the erection thereof.... 377
to determine the form of bond of pension agents, and amount of penalty thereof.... 391
certificate to, under the act granting lands to Oregon for a military wagon road.... 409
approval of earlier discharge for good behavior in prison of convicts imprisoned under sentences from United States courts.... 424
may use any portion of appropriation for compensation of additional clerks, for piece work.... 447
to give such piece work only to persons in indigent circumstances, and to the soldiers and widows of soldiers who served in the Union army during the late rebellion.... 487
to procure an examination to be made of the condition of the public buildings in the Territory of New Mexico.... 467
to report thereon to Congress with estimates.... 467
to appoint additional clerks for two years, in the office of the commissioner of pensions.... 471
duty of, as to expenditures of appropriations for various Indian tribes....492–515
to prescribe regulations for the government of trustees for towns in the execution of their trust.... 542

Secretary of the Interior, (continued.)
to locate the offices of surveyor-general and of registers and receivers in the Montana and Arizona land districts... 543
duty of, under the act granting lands to the State of California to aid in the construction of the Stockton and Copperopolis R. R. Co.... 548
plan of building for post-office and court-house in New York city to be submitted to, for approval.... 564
to pay the claims of certain Indian agents in Utah Territory.... 570
duty in regard to land grant to Kansas to aid in the construction of a bridge over the Republican river.... 574
to order a survey for a bridge or bridges across the Potomac river in the District of Columbia.... 544
to select a new site for the jail in the District of Columbia, after the approval of new and perfected plans therefor... 575
Secretary of the Navy,
tenure and term of office of.... 430
appropriations for and for the office of the....200, 450, 451
to discontinue the public use of bridge from Seavey's Island, if, &c.... 36
to direct stated times for examinations for admissions into the naval academy 38
may establish examinations for appointments as assistant paymasters.... 43
to cause maps, charts, and nautical books to be prepared and sold at cost.... 69
to return into the treasury moneys received from such sale.... 69
to transfer to the disposal of the Secretary of War steamers, &c. suitable for use in raising snags, &c. from Western rivers.... 71
may admit persons to the Government Asylum for the Insane.... 94
to appoint additional clerks in the several bureaus in the Navy Department.... 207
may promote certain commodores to the grade of rear-admiral on the retired list 222
to appoint a board for the examination of candidates from the naval volunteer service.... 222
may retain certain volunteer officers in the navy.... 223
to appoint a board of examiners to examine site near Portland, Maine, for a fresh-water basin for the iron-clad vessels of the navy.... 257
to prepare and submit with his report a schedule embracing the offers for supplies by classes, and indicating such as have been accepted.... 305
may dispose of the property saved from the rebel steamer Florida.... 322
to approve of credits to be allowed certain disbursing officers of the navy and marine corps for losses of property.... 345
to detail a steam vessel from the squadron of the Pacific station to aid in laying the telegraph cable between the eastern and western continents.... 350
to place certain hulks or vessels at the disposal of commissioners of quarantine, &c.... 351
may require freight for the United States to be carried over the railway of the Washington County Horse R. R. Co.. 381

Secretary of the Navy, (continued.)
may accept from the city of Philadelphia the title to League Island, in the Delaware river, and adjacent marsh land .. 396
to investigate the claims of contractors for building vessels of war and steam machinery, under contracts made between May 1, 1861, and January 1, 1864 424
to report to Congress a tabular statement of each case 424
to investigate the claim of W. H. Webb for constructing the steamer Dunderberg 424
to detail board of officers to make experiments to test the power of resistance of turret and broadside systems of iron-clad vessels of war, and the relative power and resistance of guns, plated ships, and stone forts 488, 489
to accept deed of gift, when offered by the State of Connecticut, of land in the Thames river for naval purposes..... 489
to appoint suitable person to examine the archives of the Navy Department, &c. to collect, &c. facts to illustrate the history of the navy..... 490
to effect with the city of Brooklyn a further exchange of lands in Wallabout Bay 492
may approve of the purchase by the naval storekeeper at the naval academy, of clothing, &c. for midshipmen..... 516
duty in respect to approval or disapproval of sentences by summary courts-martial 516
as to applications of disabled persons of the navy or marine corps, for payments from the naval pension fund..... 516
may deliver the iron-clad Onondaga to George Quintard, upon payment, &c... 543
to detail an experienced naval constructor to examine steamships offered on the mail-steamship service between San Francisco and Honolulu 544
may assign a public vessel for the transportation of supplies of food and clothing to the suffering people of the South 567
to furnish aid and facilities to citizens of the United States undertaking an exploration and survey of the Isthmus of Darien, for a ship-canal between the Atlantic and Pacific Oceans 567
may grant the use of certain vessels or hulks to commissioners of quarantine, &c.....569, 570
to grant the use of two eleven-inch Dahlgren guns to John Ridgway, for use in experimental trials of Ridgway's patent revolving battery..... 570
Secretary of the Senate,
at the end of each session to furnish lists of nominations, rejections, &c. to, &c.. 431
Secretary of the Treasury,
tenure and term of office of..... 430
appropriations for office of.....194, 444
to make regulations respecting the prohibition of the importation of neat cattle, &c..... 2, 4
may determine to suspend the operation of the law prohibiting the importation of neat cattle..... 4
may appoint assistant assessors of internal revenue 2

Secretary of the Treasury, (continued.)
to purchase site for custom-house at Island Pond 23
to increase the clerical force in the office of assistant treasurer at Philadelphia.. 24
may receive certain treasury notes, &c. in exchange for bonds, and may dispose of the bonds 31
in what amount, and at what rates, 31, 32
public debt not to be increased hereby... 32
limit to amount of notes to be retired.... 32
former act to continue in force, except, &c..... 32
to report to Congress his action under this authority..... 32
to designate the port of entry for the collection district of Montana and Idaho. 33
may lease or sell certain marine hospitals and revenue cutters.....40, 76
to issue American registers to certain vessels 40
may remit and refund duties on certain produce in transitu when the reciprocity treaty expired 43
to approve of the shape, mottoes, &c., of five-cent coin 47
to designate depositaries to pay out this coin 47
to prescribe rules for the redemption of this coin..... 48
may make regulations for the admission of certain produce of the forests of Maine free of duty 56
to cause certain expenditures by West Virginia to be examined, and paid if due..... 68
to determine compensation of commissioners to examine those claims 68
duties of, under the amending the internal revenue law.....98 – 173
approval of regulations for the removal of cotton.....98, 99
ascertaining the amount of allowance or drawback on manufactures of cotton exported.....99, 100
approval of regulations for ascertaining the weight of cotton, and for marking the same 101
to appoint the necessary inspectors, weighers, and markers of cotton .. 101
approval of regulations for receiving bids and making contracts for supplying stationery, &c. to assessors and collectors..... 105
to fix additional compensation for certain assessors and assistant assessors..... 105
to cause surplus proceeds of sales of distrained property to be paid to the person legally entitled to receive the same 108
to prescribe regulations for the refunding of taxes wrongfully assessed 111
to prescribe regulations for stamping the product of the assay of gold or silver assayed 132
for the inspection and valuation of cigars, cheroots, &c..... 133
as to the shares to be paid informers 145, 146
for compromising cases arising under the internal-revenue laws 146

Secretary of the Treasury, (continued)
to make rules for deposit by banks in the treasury the amount in lawful money of their outstanding circulation, to be redeemed at par..... 146, 147
may remit the whole or any part of any fines, penalties, or forfeitures. 146
may designate one collector of internal revenue at ports where there is more than one, to attend to exportation 153
to appoint superintendents of exportation and drawback, and fix their compensation 153
to approve warehouse of a distiller as a bonded warehouse of the United States..... 155
to approve form and conditions of bond by owners of bonded warehouses 155
to prescribe bonds for general bonded warehouses 155
to prescribe transportation bonds for removal of any articles manufactured in a bonded warehouse in the Atlantic States, to a customs bonded warehouse on the Pacific coast 155
to appoint inspector for every distillery 155
assistant inspector..... 156
general inspectors of spirits 156, 157
to adopt, procure, and prescribe for use hydrometers, meters, and gauging instruments.....157, 158
to provide locks and seals for receiving cisterns..... 158
to approve transportation bonds for removal of distilled spirits....160, 161
to appoint storekeeper for warehouse..... 161
to direct the disposition of forfeited liquors..... 163
to exempt distillers of brandy from grapes from provisions of internal-revenue law 163
to approve regulations for statements by officers paid by fees of the amount of fees received 168
may remit the forfeiture of seized goods or restore the proceeds of the sale thereof..... 169
to distribute the proceeds of sales of forfeited goods after a year from sale 170
to appoint additional officers and clerks in the office of the commissioner of internal revenue..... 170
to appoint special commissioners of the revenue, and duties therewith.. 170, 171
may direct the making of necessary regulations and forms for the collection of taxes and the enforcement of fines, penalties, and forfeitures, under the internal-revenue act..... 173
may prescribe regulations for the search of persons and baggage, and employing female inspectors for searching persons of their own sex.....178, 179
to determine allowances to district attorneys for suits for fines and personal penalties under the customs revenue law..... 180
may remit forfeitures and distribute proceeds of sales of forfeited property.... 181, 182
may remit or refund certain duties paid in ports on northern, &c. frontiers upon repairs of vessels..... 184
to make regulations for the unlading of certain vessels at night..... 184
as to inspectors on board vessels destined for one or more ports of the United States..... 184
may abolish or suspend the offices of naval officer or any subordinate office, except, &c., and assign duties to deputy collector or inspector..... 185
may clothe certain deputy collectors with powers of principals..... 185
may remit or refund certain duties or fees to collectors, surveyors, or steamboat inspectors..... 186
may direct the incidental expenses of the collector or other principal officer of certain ports to be paid..... 186
to approve parts of building to be bonded for storage of grain..... 187
may prescribe general or special regulations as to permits to certain foreign vessels arriving in the United States from foreign places adjacent to northern, &c. frontiers, to go farther inland 188
to appoint an assistant solicitor of the treasury..... 207
powers of, as to registering of vessels, not affected..... 212
to direct as to appointment of a clerk in each of the local offices at New York or New Orleans..... 229
may procure printing instruments and stationery for inspectors of steamboats 229
may make regulations for them..... 222
may cause especial examination to be made into the administration of the inspection laws..... 229
may prescribe conditions for bonds of inspectors of steamboats..... 229
may authorize the deputy collector of customs at the port of Calais to enter and clear vessels, &c..... 251
to issue certificates of registry or of enrolment or license to certain vessels... 255
may issue bonds in favor of certain railroad companies in denominations larger than $1,000 255
may give directions to have a less number of packages of goods examined..... 303
may appoint assistant appraisers for New York..... 303
examiners at New York in lieu of clerks..... 303
clerks, verifiers, samplers, openers, packers, and messengers..... 303
may direct assistant appraisers, &c. to work more than office hours..... 304
may prescribe regulations as to pay drawback of import duties paid on materials used in the erection of buildings on the burned district in Portland, Me. 304
may direct blank-books, stationery, &c. to be furnished to officers of the customs..... 309

Secretary of the Treasury, (continued.)
may remove, or sell at auction, any portion of the machinery, presses, &c. in the treasury building 317
may give directions as to payment of additional bounty to widows or heirs of deceased soldiers 323
to provide stamps to pay import duties on cigars 328
may designate ports for arrival of goods at, for transit, &c 328
may refund moneys paid in excess of duties 329
may make regulations as to sales of goods remaining in public stores more than three years 330
to appoint a director of the bureau of statistics 331
to detail clerks therefor 331
may suspend the collection of the direct tax, in any State declared in insurrection, until January 1, 1868 331
may appoint a disbursing agent, where there is no collector at place of location of any public works 341
to place appropriation for help to the sufferers by the explosion of the United States arsenal in the District of Columbia in hands for distribution 351
may change the name of the ship "Art Union" to "George M. Barnard" ... 351
may make quarantine regulations against cholera, in aid of State authorities 357
to pay Vermont for expenses for protection of the frontier against invasion from Canada 361
may sell the stock of the United States in the Dismal Swamp Canal Company 365
to pay claims against the late Territory of Nevada 366
to cause a general customs revenue law to be prepared and submitted to Congress 367
to furnish to each State a set of the standard weights and measures of the metric system 369
not to enforce further the payment of the special income tax against certain officers and soldiers 371
to receive into the treasury of the United States the residuary legacy of James Smithson 391
to transfer two clerks from the third class to class four in the office of auditor of treasury for the Post-Office Department 394
to make regulations enabling coasting vessels between ports and places on Lake Michigan, laden with, &c. to unlade without previous permit 394
may change the port of entry in the district of Beaufort, North Carolina, to Morehead City 411
to provide by contract for building lighthouses at various points 425
to regulate and fix the salaries of lighthouse-keepers 425
to communicate to the proper accounting and disbursing officers of his department notifications received by him of appointments to office by the President, without the consent of the Senate 431
may authorize one of the assistant secretaries to sign in his stead warrants for the payment of money, &c 439, 440
to prescribe regulations for loading and unloading vessels at the city of Portland, Oregon 461
to sell at public auction the buildings and grounds at several places, known as the old custom-houses 467
to make suitable conveyances to the purchaser 467
to classify the temporary clerks in the Treasury Department at his discretion 469
to pay Butler and Carpenter in full for their claims 473
duty of, as to approval of rules and regulations under the internal-revenue law 472, 473
may adopt and prescribe for use hydrometers, and weighing and gauging instruments for a uniform and correct system of inspection, weighing, and gauging of spirits subject to tax 481
to approve of bonds by inspectors of revenue 484
to direct the distribution of the net proceeds of fines, forfeitures, and penalties under the customs laws 546, 547
to prescribe needful regulations to enforce provisions of law in regard to payment of lien for freight on imported merchandise in the hands of collectors of customs 547
may issue temporary loan certificates to redeem outstanding compound-interest notes 558
to pay certain claims of the city of Washington, D. C 558
to direct selection and preparation of samples of various kinds of wool or hair in reference to the customs duty on wool and hair 560
to pay the amount of money necessary for the purchase of a site in New York city for building for post-office and courts .. 564
to grant permits to curators of incorporated, &c. scientific institutions to withdraw alcohol for preservation of specimens from bond, without payment of internal tax 565, 566
may permit the owner of the yacht "Mayflower" to change her name to "Silvie" 567, 568
to order register to be granted to owner of the steam yacht "Glance" 568
duty of, in ascertaining the quota of the direct tax due from West Virginia 568
may suspend the further collection of the direct tax from West Virginia, until June 1, 1867, unless, &c 568
may refund amount of direct taxes illegally collected 568
power of, to distribute money among the clerks of his department by way of additional compensation, repealed 569
if approving the report of the commission to select site for a building for a post-office and sub-treasury in the city of Boston, to communicate it to Congress 573
Secretary of War,
tenure and term of office of 430
appropriations for, and for the office of the 199, 449, 450

Secretary of War, (continued.)
additional employees in office of.... 449
to issue arms and ammunition for defence of inhabitants of Dakota Territory.... 26
to examine and settle the claim of Pennsylvania for payments to the militia... 32
may cause examinations and re-examinations, and changes in plans of public works..... 71
to be satisfied that certain wharves, &c. belong to the United States before expenditures are made..... 73
as to expenditures by Michigan City Harbor Company..... 73
to apply appropriations for public works, for other purposes than examinations and surveys by contract..... 73
to report results of surveys to Congress..... 73
to report to Congress bids for works and materials for, and names of bidders..73, 74
to cause examinations and surveys of certain designated places..... 74
to establish the position of railroad across Rock Island and bridge across the Mississippi river..... 75
to grant pecuniary and other aid to such road..... 76
may assign officers to the charge of the military academy..... 92
may admit certain persons to the Government Asylum for the Insane..... 93
may fill vacancies among the officers of the Freedmen's Bureau..... 174
may issue medical stores, supplies, &c. and afford aid to destitute loyal refugees and freedmen..... 174
to extend military protection and jurisdiction to citizens..... 177
to determine how long the Leavenworth City Railroad Company shall be allowed the privilege of right of way, &c. 212
to examine, allow, and adjust the claims of Nebraska Territory..... 307
to make regulations in regard to applications for bounties..... 323
to select not over ten judge-advocates from those now in office, to be retained 334
may appoint or enlist hospital stewards.. 335
may detail officers and men from the battalion of engineers for the performance of signal duty..... 336
may detail commissioned officers and enlisted men to established schools at posts, garrisons, or permanent camps.. 336
to determine how long the provost-marshal-general's office and bureau shall be continued..... 337
to have prepared and report to Congress a code of regulations for the army and the militia in actual service, and courts-martial..... 338
to furnish transportation to discharged soldiers to whom artificial limbs are furnished by the government..... 342
to grant the use of the military reserve of Saint Clair river for a horse railroad from Port Huron city..... 348
to deliver certain stores to the National Home for Soldiers' and Sailors' Orphans..... 351
to place certain vessels or hulks at the disposal of the commissioners of quarantine..... 351

Secretary of War, (continued.)
to take immediate measures respecting the burial of soldiers who died in the military service of the United States during the rebellion..... 353
to grant the use of certain lumber for the fair for the Soldiers' and Sailors' Orphan Home..... 356
to prescribe regulations for the selection of candidates for admission to the military academy..... 360
to cause bounty to be paid to certain Indian regiments..... 360
to permit a swing railroad bridge to be erected across the Cuyahoga river over and above the government piers at Cleveland, Ohio..... 362
to transfer to the Illinois Soldiers' College and Military Academy, cots and bedding for the use of free students in said institution disabled by the war... 366
to appoint a competent person to arrange and prepare for publication the official history of the rebellion..... 369
to settle with the Territory of Colorado for the services of its militia forces... 371
to present to Congress the final report of commissioners upon claims of loyal persons for services of colored volunteers or drafted men.....376, 377
may require freight for the United States to be carried over the railway of the Washington County Horse Railroad Co..... 381
may purchase certain lots of ground adjoining the Alleghany arsenal..... 395
to have the national cemeteries enclosed with a stone or iron fence..... 399
to cause a porter's lodge to be erected at the principal entrance of each national cemetery, and to select a superintendent from enlisted men, disabled in the service..... 400
to detail an officer of the army to inspect annually all national cemeteries..... 400
to buy or take lands for national cemeteries.....400, 401
to refund to certain drafted persons amounts paid by them..... 417
to direct the expenditure of appropriations for the repair, &c. of certain public works.....418–422
to cause examinations and surveys to be made of and for public works, and make changes in plans, and apply balances.....418, 421
to invite separate proposals and separate contracts for each work, and for each class of material or labor for each work 421, 422
to report to Congress the bids and the names of the bidders.....421, 422
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..... 457
may increase the pay of the clerks at the United States armory in Springfield 467
duty of, in reference to agreement of Rock Island and Pacific Railroad Co. to pay, &c. half of cost of building bridge at Rock Island..... 485

Secretary of War, (continued.)
may sell at public auction land of the United States at South Boston..... 486
to issue all orders relating to military operations through the general of the army, &c.....486, 487
to disburse the appropriation for fire-proof buildings for storehouses for government property at Jeffersonville, Ind... 487
to prescribe regulations for payment of expenses of certain California and Nevada volunteers 487
to approve of expediency of purchasing sites for permanent and temporary seacoast defences..... 488
to detail a board of officers to make experiments to test the power of resistance of turret and broadside systems of iron-clad vessels of war, and the relative power and resistance of guns, plated ships, and stone forts.....488, 489
to receive certificate of the extreme necessity of the case before rations or supplies are furnished the Navajo Indians..... 514
to transfer to national asylum for disabled volunteers certain property of the United States remaining at Point Lookout..... 564
to contract with lowest bidder, after advertisement for proposals, to remove the wreck of the steamship Scotland .. 564, 565
to investigate the claims of certain Kentucky militia forces called out under the command of James S. Fish..... 566
to purchase David's Island, in Long Island Sound..... 566
may grant the use of certain vessels or hulks to commissioners of quarantine, &c.....569, 570
to contract with Henry R. Brown for equestrian statue, in bronze, of Brevet Lieutenant-General Winfield Scott.... 571
to carry into effect the recommendations of certain commissioners respecting water-power for arsenal at Rock Island..... 573
Sedgewick, John,
accounts of, as collector of internal revenue, to be audited and settled..... 644
Seeds,
appropriation for purchase and distribution of.....201, 451, 452
rare and uncommon, to be purchased.....201, 452
those which can be made profitable by change..... 452
report of expenditures on this account to be made to Congress.... 452
Segregation Maps and Surveys
of swamp and overflowed lands in California, provisions concerning.....219, 220
Seizure of Goods,
as subject to forfeiture, provisions concerning..... 169
under the customs duty law..... 186
Seizures. See *Internal Revenue*.
certain internal-revenue officers may be specially authorized to make..... 482
powers of such officers..... 482
special authority, how limited..... 482
Seminoles,
may convey lands to the United States.. 788
Seminoles, (continued.)
treaty with, of March 21, 1866..... 755
peace and friendship with the United States and with other tribes.....755, 756
military occupation and protection by the United States..... 756
amnesty for offences against the United States and the Seminoles..... 756
slavery not to exist among the Seminoles 756
rights of those of African descent..... 756
cession of lands to the United States.... 756
payment therefor..... 756
grant of land to the Seminoles..... 756
boundaries thereof and payment therefor 756
mode of payment of money due the Seminoles.....756, 757
board of commissioners to determine losses sustained by loyal Seminoles.... 757
census of those loyal..... 757
no compensation except to loyal Indians 757
awards of commissioners..... 757
pay of commissioners..... 757
what claims for losses included..... 757
right of way for railroad company through land of the Seminoles.....757, 758
the company and its agents and servants subject to laws and rules... 758
Seminoles will sell lands on line of road, to the United States or to the company 758
conditions as to sale..... 758
agency buildings and land therefor..... 758
legislation as to rights of persons and property..... 758
a general council of the nations resident in the Indian Territory..... 758
census of each tribe to be taken.... 758
first general council how composed . 758, 759
time and place of meetings..... 759
sessions not to exceed thirty days... 759
special sessions..... 759
powers of general council 759
who to preside over..... 759
secretary of council and his pay..... 759
pay of members..... 759
courts and their jurisdiction..... 759
treaty to be in full settlement of all claims..... 759
diversions of annuities confirmed..... 759
annuities not to be diverted.....759, 760
treaty obligations reaffirmed..... 760
land granted for missionary or educational purposes..... 760
not to be sold except, &c..... 760
when sold, proceeds how applied... 760
inconsistent provisions annulled..... 760
ratification..... 761
appropriations for the.....263, 319, 320, 507
Senate,
appropriation for the compensation of officers of, and for expenses of the 24, 25, 91, 327, 440, 441, 469
extraordinary session of the, convened for April 1, 1867 821
Senators in Congress,
appropriation for compensation and mileage of..... 440
complete set of Congressional Globe and Appendix to certain..... 440
act to regulate the times and manner of holding elections for..... 243

Senators in Congress, (continued.)
what legislatures of States and when to elect..... 243
mode of election..... 243
proceedings in elections to fill vacancies. 243, 244
governor of State to send certificate of election to the President of the Senate 244
pay and mileage of, established..... 323
Senecas,
appropriations for the.....264, 507, 508
Senneff, Jacob,
may apply for extension of patent for wire heddles.....625, 626
application to be published.....625, 626
intervening rights not affected.....625, 626
Sentences,
deductions to be made from, of convicts imprisoned under any law of the United States, who have behaved themselves well..... 424
rate of deductions..... 424
to be made upon certificate of warden and approval of the Secretary of the Interior..... 434
Sergeant-at-arms,
of the House of Representatives, duty of, in preparing for the organization of the House, in case of the disability of the clerk..... 397
of the Senate and of the House to appoint capitol police..... 466
Service of Process,
in the District of Columbia, publication may be substituted for personal, on certain defendants 403, 404
form of order of publication..... 404
summons first to issue and be returned "not to be found"..... 404
on foreign corporations..... 404
Set-off,
in suits in the District of Columbia of mutual debts..... 403
of mutual judgments..... 403
form of plea of..... 403
Settlers,
claims of, for improvements upon certain lands ceded to the Poncas, to be satisfied by the Poncas.....675, 676
Severe, Harrison,
sums found due on settlement of accounts as Indian agent in Utah, to be paid... 570
Sewer,
through Potomac Garden, how to be built, &c..... 325
Sewers, in Washington, D. C.,
appropriations for.....18, 19, 462
Shanghae,
branch line of mail-steamship service between Japan and..... 394
Shawnees,
appropriations for the.....264, 507, 508
Sheath-Knives,
the wearing of, by seamen in the merchant service, prohibited..... 304
persons offering to ship as seamen to be notified hereof..... 304
Sheehey, Ann,
pension to..... 595
Sheehey, John,
accounts of, to be adjusted, &c..... 595
Sherman, General,
provisions for occupants of lands under special field order of.....175, 176
Ship Canal,
to connect Lake Superior with Lac La Belle in Michigan, grant of lands in aid of..... 80
size and depth of water..... 80
to be a public highway, and free to the United States..... 80
to be completed in two years, else lands to revert..... 81
and harbor at Portage Lake, additional lands granted to..... 81
across Isthmus of Darien, survey for.... 311
to connect the Atlantic and Pacific Oceans, provision as to the exploration and survey of the Isthmus of Darien for.....567, 572
See *Isthmus of Darien*.
Ship Canal, Harbor, and Breakwater,
grant of lands for, between Green Bay and Lake Michigan..... 30
Shoshonees,
appropriations for the.....272, 508
Siam,
prisons for American convicts in, appropriation for rent of..... 414
Sibley, W. J., and others, Trustees,
may sell lot number nine, square seventy-six, in Washington, D. C..... 246
Signal Corps
of the army, payment of prize money to certain officers and enlisted men of the, authorized..... 395
Signal Duty,
detail of officers and men for..... 336
but not until after examination, &c.. 336
enlisted men when detailed to be mounted..... 336
Signal Office,
pay of clerks in..... 449
Silver Mines,
statistics of, in Western States..... 311
Silver Plate,
annual tax upon..... 135
exemption of certain, from taxation..... 135
Simonoseki,
opening of port of, by Japan, to be accepted in lieu of money..... 11
Sioux,
appropriations for the 273, 274, 508, 509, 512
Sioux Reservation,
in Minnesota, certain settlers on, may enter their lands at minimum price..... 744
Sissetons,
appropriations for the.....279, 514
Sixth Auditor,
appropriation for the office of the..... 373
Six Nations,
appropriations for the..... 264, 510
Skamania County, Washington Territory,
act of legislative assembly relating to, disapproved 77
Skins,
tax upon..... 474
S' Klallams,
appropriations for the.....270, 510
Slavery,
not to exist longer among the Seminoles, 756
nor among the Choctaws and Chickasaws..... 769
nor among the Creeks..... 786
nor among the Cherokees..... 801
Slaves,
no pay for those emancipated among the Cherokees..... 801

Slave-Trade,
additional compensation to district attorneys and marshals, for services in the suppression of the..... 23
salaries of judges, &c. for, and expenses of mixed courts..... 23
appropriations under act for the suppression of the African.....226, 415
Slocum, Josephine,
widow of Martin N. Slocum, pension to. 624
Smith, Captain James G.,
master of the British brig "Victoria," a gold chronometer to be presented to, in token of the appreciation by the United States government of his successful efforts in rescuing from death the passengers, officers, and crew of the American brig "E. H. Fitler"..... 575
Smith, Mary A.,
widow of Alexander D. Smith, pension to..... 623
Smith, Solomon P.,
payment to, for his pension..... 616
Smithsonian Grounds,
three additional watchmen for..... 365
Smithsonian Institution,
library of, to be transferred to library of Congress..... 13
not to be removed therefrom, except, &c..... 13
how to be used after removal..... 13
books, maps, and charts to be cared for.. 13
appropriation for expenses of removal... 13
appropriation to, for preservation of exploring and surveying expeditions.... 316
appropriations for preservation of collections of exploring and surveying expeditions of the government..... 464
to be the agency of exchange of public documents..... 573
Smithson, James,
residuary legacy of, may be received.... 391
increase thereof, how to be applied..... 391
Smith, William,
may select lands for services to Chippewa Indians..... 658
Smoot, Mrs. Ann E.,
payment to..... 605
Smuggling,
act further to prevent..... 178
officers of customs and other authorized persons may board and search any vessel or vehicle..... 178
vessels and vehicles may be compelled to stop..... 178
may be seized and searched, &c..... 178
penalty on driver, &c. of vehicle refusing to stop and allow search..... 178
regulations as to search of persons and luggage..... 178
female inspectors..... 178
cars, engines, &c. of common carriers not subject to forfeiture, unless, &c..... 179
the words "vessel" and "vehicle" to include what..... 178
penalty for fraudulently or knowingly bringing into the United States any goods contrary to law..... 179
for knowingly receiving the same... 179
possession of goods sufficient to authorize conviction, unless defendant explains it..... 179
persons authorized to make seizures, &c. may enter lands, buildings, &c. other than dwellings..... 179
penalty for forcibly resisting officers of customs, &c. in discharge of their duty 179
for rescuing or attempting to rescue seized property..... 179
for destroying, &c. property to prevent its being seized..... 179
for discharging or using any deadly weapon against such officers in the discharge of their duty..... 179
officers and persons making seizures, appointment of certain..... 178
to disclose authority on request.... 180
may demand assistance of persons within three miles..... 180
collectors of customs to report within ten days to the district attorney cases of fines and personal penalties not paid.. 179
duty of district attorneys, and allowances for their services..... 180
not making reports, to forfeit their share of fines, &c..... 180
duties of, as to property seized..... 181
may be required to perform duties of naval officer..... 185
certain duties and fees to be refunded to..... 186
when part of incidental expenses may be paid..... 186
penalty upon, for not making the returns required by law..... 188
"merchandise" in former act to mean "goods, wares, and merchandise".... 180
vessels held for payment of penalties, and may be proceeded against..... 180
certain foreign, on northern, &c. frontier, to pay a tonnage duty, 182, 183
enrolled and licensed, duties of certain, when purchasing "sea stores," or "saloon stores or supplies" in foreign port..... 183
equipments of certain, to be entered and pay a duty.....183, 184
foreign, provisions as to manifests to apply to..... 184
masters of, arriving, &c. to report to nearest collector..... 188
paying tonnage duty only once a year, when to pay the same..... 185
if value of property seized for forfeiture is not over $500, what proceedings to be had for condemnation..... 181
claimants to file claim in twenty days 181
claim to state what..... 181
application for remission of forfeiture may be made within three months of sale..... 181
may be granted upon what proof... 181
if not made within three months, proceeds of sale to be distributed 181
perishable property, proceedings upon seizure of.....181, 182
remission of fines and forfeitures where amount is not over $1,000..... 182
parties claiming a lien on imported goods to be notified before delivery to owner.. 182
possession by officers not to discharge lien..... 182
imports not over $100 in value may be entered without triplicate invoice, if, &c..... 182

Smuggling, (continued.)
goods, &c. at ports on northern, &c. frontiers, shipped thence on foreign vessels to foreign ports, to be reshipped thence to a port in the United States on those frontiers with intent, &c. may be forfeited....182, 183
vessels to pay a tonnage duty..... 183
"sea stores" for vessels on northern, &c. frontiers, purchased at any port in adjacent British provinces, to be reported on first port of arrival in the United States..... 183
provisions concerning..... 183
saloon stores or supplies..... 183
equipments of such vessels, including boats and expenses of repairs, to pay a duty..... 184
when duty may be refunded..... 184
provisions for enforcing payment of duty..... 184
fraudulently obtaining certificate of registry, &c. to work forfeiture of vessel.. 184
laws as to manifests to apply to vessels owned by foreigners..... 184
goods, &c. taken in any vessel from one port to another on northern, &c. frontiers, to be unladen only in open day, unless, &c..... 184
regulations for unlading at night... 184
inspectors on vessels destined for one or more ports of the United States..... 184
vessels paying tonnage duty only once a year, when to pay it..... 185
office of naval officer and subordinate officers may be suspended, except, &c. and duties thereof assigned to collectors or inspectors..... 185
deputy collectors may exercise powers of their principals..... 185
salaries or wages of those employed in the customs or internal revenue..... 185
not to be paid until oath is made... 185
goods seized for violation of customs laws to be in custody of collector..... 186
proceedings for forfeiture..... 186
certain duties or fees to be remitted or refunded to collectors or surveyors.... 186
incidental expenses of collector to be paid in part, where fees, &c. are insufficient compensation..... 186
officers and employés of the United States to have only pro rata pay, and never more than maximum..... 186
penalty for attempting to bribe revenue officers.....186, 187
suits for recovery of duties illegally exacted..... 187
parts of building may be bonded for storage of grain..... 187
number of bushels of grain to be found by weight..... 187
pounds in a bushel..... 187
warrants for seizure of invoices, books, &c..... 187
neglect of officer to pay over money to be cause of removal..... 187
masters of foreign vessels arriving here to do what..... 188
penalty upon collectors and inspectors of steamboats for not making returns as required by law..... 188
repealing clause, pending proceedings not affected..... 188

Smuggling, (continued.)
provisions of act to prevent, not to affect any right or suit pending at the time of its passage..... 394
suits, &c. may be tried and disposed of, as though the act had not been passed..... 394
in twenty-fifth section, "March" substituted for "July"..... 394
Snag-boats,
and other apparatus for clearing Western rivers, appropriations for.....71, 421
Secretary of Navy to transfer to Secretary of War certain vessels suitable for.. 71
Snags and Boulders,
appropriation for removing from the Minnesota river..... 421
Snake Indians,
appropriations for the..... 511
Snow Hill,
office of surveyor at, discontinued..... 411
Snuff. See *Tobacco, &c.*
provisions concerning the taxation of 123, 126
penalty upon manufacturer of, for making without payment of tax..... 473
fine and imprisonment..... 473
proceedings in relation to the forfeiture and sale of..... 474
Sohan, John J.,
increased pension to..... 620
to be paid from naval pension fund.. 620
Soldiers,
cemeteries for the burial of deceased, established..... 399
increased pay of, continued for three years from, &c..... 422
Soldiers' and Sailors' Orphan Fair Building,
may be used by citizens for lawful meetings, when permitted by the Speaker of the House or the President of the Senate..... 370
particularly for meetings in reference to the liberation of Ireland..... 370
Soldiers' and Sailors' Orphan Home,
use of certain lumber for buildings for fair for..... 356
Soldiers' and Sailors' Union of the City of Washington, D. C.,
act to incorporate..... 235
powers and duties of the corporation.... 235
Soldiers' Claims,
for pensions, back pay, bounty, and property lost in service, no stamp duty on papers used for collection of, from government..... 475
Soldiers' Individual Memorial, The,
may go through mails on payment of usual postage of printed matter..... 40
Soldiers of the United States,
provision respecting the burial of those who died in the service during the rebellion..... 353
Soldiers' Orphans' Home of Iowa,
gift of buildings, furniture, &c. to..... 318
Solicitor of Internal Revenue,
office of, established..... 170
Solicitor of the Navy Department,
appropriations for the..... 450
Solicitor of the Treasury,
appropriations for, and for office of 195, 196, 445, 446
office of assistant solicitor of, established 207
Solicitor of War Department,
authority for appointment of, repealed... 337

South Boston,
land in, may be sold at public auction... 486
South Carolina,
certain lands in certain parishes in, sold by direct tax commissioners and bid in by the United States, and sold to "heads of families of the African race," provisions concerning..... 175
lots in Port Royal, and lots and houses in Beaufort..... 175
certain lands in, to be surveyed by tax commissioners 176
the insurrection declared to be at an end in 813
act to provide for the more efficient government of..... 428
constituted part of the second military district..... 428
See *Rebel States.*
Southeast Executive Building, and Extension,
appropriation for general purposes of the 197, 446
deficiency appropriation for..... 373
Southern Pacific Railroad Company,
may connect with the Atlantic and Pacific Railroad 299
point of connection, gauge, and rates of fare..... 299
to have grants of land to aid in its construction 299
Southern States,
public vessel to transport supplies of food and clothing to the suffering people of the 567
Southwest Executive Building,
appropriations for the general purposes of the.....201, 451
Spalding, Rufus C.,
credit to be allowed to, in settlement of his accounts as paymaster in the navy, for money stolen..... 618
J. S. Harvey not hereby released from responsibility 618
Spanish,
assistant professor of, at West Point, pay and emoluments of..... 416
Spanish Authorities,
claims to lands derived by grant from, provisions concerning.....220, 221
Speaker of House of Representatives,
pay of established..... 323
may permit the soldiers' and sailors' orphan fair building to be used for certain public meetings..... 370
Special Agents,
appropriation for..... 203
under the internal revenue law, penalty upon, for extortion or oppression..... 101
compensation to..... 453
Special Collecting or Disbursing Agents
of Post-Office Department, may be required to give bond..... 61
Special Commissioner of the Revenue,
appointment of, by the Secretary of the Treasury in his department, authorized 170
term of office, duties, and powers of..170, 171
salary and franking privilege..... 171
Special Income Tax of 1864,
not to be further enforced against certain officers and soldiers..... 371
Special Tax,
to be levied for increased pay of the metropolitan police, Washington, D. C.... 374
penalty for carrying on any trade, business, &c. upon which tax is imposed, without payment of the tax..... 473
Special Taxes,
no person, firm, &c. or corporation, to do business upon which a special tax is assessed, until it is paid 113
persons, &c. doing a business specially taxed, to register names with assistant assessors 113
register to state what..... 113
penalty for exercising any trade without the payment of the tax..... 113
to be paid to collectors, who shall give receipts therefor..... 113
receipt to set forth what..... 113
persons carrying on taxable business to exhibit receipt therefor to revenue officer on demand..... 114
if pedler refuses to exhibit receipt, his property may be seized..... 114
proceedings thereon..... 114
assessor may decree a forfeiture..... 114
payment of, not to exempt from additional tax from doing business in another place, except certain classes..... 113
auctioneers, builders, cattle-brokers, commercial brokers, dentists, horse-dealers, insurance agents, and brokers, lawyers, patent-right dealers, pedlers, photographers, physicians, produce-brokers, surgeons, exempted..... 113
no special tax for storage of goods, &c. at place other than place of business, if no goods are there kept, except as samples 113
to be due on 1st of May each year, or when commencing the business..... 114
in latter case, to be reckoned for proportional part of year..... 114
if a person who has paid the special tax removes, he may carry on business in new place..... 114
if he dies, his representatives may continue the business for the residue of the term..... 114
cases of removal and death to be registered 114
a person carrying on more than one business at the same place, at the same time, to pay tax for each 114
in places of less than 6,000 persons, one tax to embrace the business of land-warrant brokers, claim-agents, and real-estate agents..... 114
any persons may do business as partners, and pay but one special tax, except cattle-brokers, claim-agents, conveyancers, dentists, horse-dealers, lawyers, patent-agents, pedlers, physicians, surgeons 115
not to be imposed upon apothecaries, confectioners, butchers, keepers of eating-houses, hotels, inns, or taverns, or retail dealers, except retail dealers in spirituous or malt liquors, when their annual gross receipts do not exceed $1,000..... 122
amount of annual receipts, how ascertained 122
if amount is understated, &c. the person or company to be again assessed 122
none to be imposed upon certain apothecaries, farmers, physicians, vintners.... 122
payment of tax not to exempt from

Special Taxes, (continued.)
penalty under State laws for carrying on such trade, &c. nor authorize a trade, &c. prohibited by State laws, nor prevent a State from imposing an additional tax..... 122
list of trades and professions required to pay a special tax.....115 – 122
See *Internal Revenue*, pp. 888, 889.
Spencer, A. T.,
account of, for carrying the mail, to be audited and paid..... 597
Spezzia,
salary of consul at, established..... 414
Spirituous Liquors,
to be imported in casks or packages, of what capacity..... 328
in less quantities, if shipped after October 1, 1866, to be forfeited... 328
prohibited from Cherokee country..... 806
Spoliation,
indemnity for, to be paid the Poncas by the United States 676
Springfield Armory,
rank, pay, &c. of ordnance storekeeper and paymaster at..... 423
Squares, Public,
appropriations for..... 462, 464
Staff,
of the general of the army of the United States 223
of the lieutenant-general..... 223
Staley, Elizabeth,
mother by adoption of Theodore A. Jones, pension to 630
Stallions, Owners of,
definition of, and special tax on..... 120
Stamps,
for imported cigars, cigarettes, and cheroots, to be provided and placed on packages, &c. 328
for brewers, provisions concerning...165, 166
for internal revenue, appropriations for.. 443
Stamp Tax,
no instrument, &c. required by law to be stamped, to be recorded, unless stamped..... 141
record of such instrument, &c. void. 141
official instruments, &c. issued by officers of the United States or of any State, city, or county, to be exempt from tax 141
where stamp was not put on instrument when made, how it may be placed thereon afterwards..... 143
or upon a copy, if original is lost... 143
if instrument not having stamp was made when and where there was no collection district, stamp may be affixed prior to January 1, 1867..... 143
intervening bona fide rights not affected..... 143
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 the instrument, &c. to be void.... 142
title of a purchaser of land by deed duly stamped not to be defeated by want of stamp on certain deeds..... 143
no deed, &c. required by law to be stamped to be hereafter admitted in evidence, until proper stamps are affixed....143, 144
documents made in a foreign country for use here to pay same tax as though made here..... 144
who to affix the stamp..... 144
penalty for forging or counterfeiting any stamp, die, &c..... 141
for forging any stamp upon any paper, &c. or stamping, &c. with intent to defraud..... 142
for knowingly uttering or selling paper, &c. with forged stamp..... 142
for knowingly using or permitting the use of a forged stamp..... 142
for fraudulently removing stamp, or impression of, from paper, &c..... 142
for fraudulently using, &c. stamp, cut, &c. from any other paper, required to be stamped..... 142
for wilfully removing or altering the cancelling of a stamp..... 142
for knowingly buying or selling, or having in his possession, marked, &c. stamps..... 142
not to be imposed upon certain drugs, medicines, and chemicals..... 151
articles requiring stamps sold on distraint, to be stamped by the officer selling.... 152
Standard Weights and Measures of the Metric System,
set of, to be furnished each State..... 369
Standish, Henry,
sums found due on settlement of accounts as Indian agent in Utah, to be paid... 570
Starkey, James,
payment to, for a horse killed in a fight with Indians..... 618
State Courts. See *Removal of Causes*.
provisions for removal of certain suits from, to the circuit courts of the United States.....46, 171, 307, 558
State Department,
appropriations for compensation of officers of the.....194, 374, 444
incidental and contingent expenses of..... 444
publishing and distributing laws, &c. 444
general purposes of building occupied by..... 444
buildings for the temporary accommodation of the..... 362
Stationery,
how furnished to officers of the customs. 309
Statistics, Bureau of. See *Bureau of Statistics*.
provisions concerning.....331, 446
Statutes at Large,
additional compensation to publishers of 23, 326
appropriation to purchase copies of volume XIII..... 193
contract for the publication of, between the Department of State and Little, Brown, and Company, to be renewed. 352
time of delivery of..... 352
price of, not to exceed actual expenditures and commission..... 352
purchase of certain copies of..... 461
Statutes of the United States,
commissioners to revise and consolidate the general..... 74
their compensation, duties, and pay..... 74
copy of work to be submitted to Congress..... 75
work may be printed in parts..... 75

Statutes of the United States, (continued.)
expenses of commission to revise and consolidate....455, 456
printing to be done in government printing-office.... 456
St. Clair, Leonard,
pension to.... 586
St. Croix River,
appropriation for improving navigation of, above the ledge.... 420
province of New Brunswick to pay one half of the sum actually expended therefor.... 420
Steamboats, Inspectors of. See *Inspectors of Steamboats.*
appropriations for....203, 373, 453
Steamboats. See *Boats, Barges, and Flats.*
tax upon gross receipts from passengers and mails.... 135
Steam Engineering,
appropriations for bureau of...200, 201, 450, 451, 491
additional clerks authorized in.... 208
salary of draughtsman in bureau of, established.... 450
one clerk in bureau of, authorized.... 450
Steamers,
used as freight boats to be subject to what inspection and requirements.... 228
to be subject to act of 1852, ch. 106, § 29.... 228
regulations as to lights of, and life-boats. 228
sea-going, when under way, to be under control of licensed pilots, except, &c... 228
Steamers and Vessels,
definition of, and special tax on.... 118
Steam Machinery,
claims of certain contractors for, for relief, to be investigated.... 424
basis of the investigation.... 424
report to Congress.... 424
Steam Tugboats,
not of the United States, employed in towing, to forfeit fifty cents a ton for every vessel towed.... 183
forfeiture of fifty cents a ton for certain, not of the United States, employed in towing, &c. not to apply to certain towing.... 410
Steam Vessels,
subject to the navigation laws of the United States.... 412
Stenographer,
appropriation for salary of.... 25
Stevens, Martha,
pension to.... 588
Stevens, Samuel,
may enter and purchase certain land.... 604
patent therefor to issue to.... 605
Stevens, Thomas W.,
payment to.... 602
Steward of President's Household,
appointment and salary.... 207
duties and bond of.... 207
Stills,
for making distilled spirits, not to be made or set up without, &c.... 154
provisions of internal revenue law concerning.... 154
fit for use, if not over $1,000 in value, seized for violation of internal revenue laws, not to be released before judgment.... 483
if forfeited, to be destroyed.... 483
Stills, (continued.)
if value over $1,000, its release to be at the discretion of the court.... 483
additional penalty upon owners, &c. of, for neglect or refusal to do what the law requires concerning distilled spirits 483
may be seized with materials for distillation, and forfeited.... 483
proceedings to enforce forfeiture 483
"*Stockholders*,"
to mean what in section 122 of internal revenue act.... 5
Stocks, Nancy A.,
payment to.... 603
Stockton and Copperopolis R. R. Co.,
right of way granted to, through certain public lands.... 548
route of road.... 548
materials for construction from adjacent lands.... 548
extent of grant.... 548
ground for stations, shops, turn-outs, &c.... 548
conditions of grant.... 548
public lands granted to the State of California, to aid in the construction of 548–550
alternate sections.... 548
lands in lieu of those reserved, &c... 548
those containing gold, silver, or copper excepted.... 548
"mineral" not to include iron or coal 548
patents to issue for lands, as sections of ten consecutive miles of the road are ready for service....548, 549
commissioners to examine and report....548, 549
railroad, how to be constructed.... 549
gauge to be uniform with the Pacific railroad.... 549
lands on both sides of road to be surveyed 549
odd sections not liable to entry, &c. except, &c.... 549
pre-emption and homestead rights extended to all lands not granted to company.... 549
minimum price of lands not granted to be $2.50 per acre.... 549
conditions of grant.... 549
time of commencing and completing road.... 549
upon breach, unpatented lands to revert.... 549
if condition of grant remain broken a year, Congress may complete the road. 549
railroad made a post-route and military road.... 549
transportation for the United States to be free.... 549
conditions of grant to be accepted by company, how and when.....549, 550
act to be void, unless certain subscription to stock is made with five per cent paid within two years.... 550
act may be repealed, altered, &c.... 550
Storage
of grain, parts of building may be bonded for.... 187
Storekeeper,
at the naval academy, how to be detailed 516
may procure clothing, &c. for midshipmen 516
regulations therefor, to be prescribed by the Secretary of the Navy..... 516
Storekeepers of the Army,
rank, pay, and allowances of.... 423

Stouffer, Captain,
of the ship Antarctic, gold medal and reward to..... 365
Stout, Charles M.,
account of, to be stated..... 596
Saint Paul, Minnesota,
purchase of site and erection of building at, for custom-house, &c..... 316
Straw
not to be carried on deck or guards of passenger steamers, except, &c..... 227
Streets and Sewers,
in Washington, D. C., appropriations for..... 469
Streets in Washington, D. C.,
appropriations for care, repairs, and lighting.....17–19, 314, 315, 462–464
Strohm, Isaac,
payment for services as clerk..... 469
Strubing, Isabella,
pension to..... 586
Sub-Indian Agents,
appointment of those whose salaries are over $ 1,000 a year..... 515
Submerged Tubular Bridge,
may be built and maintained across the Mississippi river at St. Louis..... 408
mode of construction..... 408
to be a lawful structure and a post-route 408
charges for transportation through..... 408
to be open equally to all steam railroads, and at what charges..... 409
questions of its obstructing the free navigation of the river to be tried in what courts..... 408
Subsistence
for destitute Indians and Indian tribes within the southern superintendency.. 347
Subsistence and Commutation of,
appropriations for..... 90
Subsistence Department,
hereafter to consist of what officers, &c... 334
Substitutes,
money paid for, by persons drafted and not liable to the service, to be refunded 417
Sub-Treasury,
in Boston, commission appointed to select a proper site for the..... 573
Succession to Real Estate,
provisions as to taxes upon..... 141
Success Rock,
appropriation for erecting an iron spindle on..... 461
Sugar Refiners,
who to be deemed..... 474
Sugars,
tax upon..... 474
Suits. See *Removal of Causes.*
for recovery of duties, illegally exacted, not to be maintained, unless plaintiff gives defendant bill of particulars within, &c..... 187
if bill is not served, judgment against the plaintiffs..... 187
under the internal revenue law, not to be commenced without authority of the commissioner of internal revenue..... 111
by whom and where to be brought...111, 145
may be compromised..... 146
not to be brought to recover tax wrongfully collected, until after appeal to commissioner, and his decision thereon..... 152
to be brought within what time..... 152
Suits, (continued.)
under internal revenue act, district attorney to report to commissioner of internal revenue.....471, 472
commissioner to make rules for district attorneys, marshals, and revenue officers in regard to suits..... 472
appropriation for expenses of, in which the United States is a party.....448, 449
none to be maintained in any court to restrain the assessment or collection of tax..... 475
See *Internal Revenue, p.* 897.
Summary Courts-martial. (*Navy.*)
on petty officers and men, of inferior ratings, proceedings of to be approved by commander-in-chief, &c. before carrying sentence into execution..... 516
if sentence involves loss of pay, to be approved by Secretary of Navy... 516
Superintendent,
of house of correction for boys in the District of Columbia, provisions concerning.....233, 234
to each national cemetery..... 333
Superintendents of Exports and Drawback,
appropriations for salaries and expenses of..... 445
Superintendent of Government Hospital for the Insane,
salary of, established..... 464
Superintendents of Lights,
whose compensation as collectors of customs exceeds three thousand dollars a year, not to receive compensation as disbursing agents for lighthouse establishment..... 466
Superintendents of National Cemeteries,
Secretary of War to select, and from whom..... 400
pay, allowances, and duties of..... 400
Superintendent of Public Printing,
may employ additional clerk..... 41
appropriations for office of.....193, 443
duty of, in relation to the printing of public documents, reports of executive departments, &c..... 305
in relation to procuring a supply of paper for public printing 305, 306
annual report to include statement of proposals and contracts..... 305
when may purchase paper in open market 306
not to print greater number of reports, unless specially directed by either house of Congress..... 306
to give new bond..... 347
office of, abolished..... 399
Supervising Inspectors of Steamboats,
bonds of, and salaries..... 229
for Pacific coast, salary of..... 229
See *Inspectors of Steamboats.*
Supreme Court of the District of Columbia,
provisions as to summoning jurors for December term, 1865..... 1
for filling vacancies..... 1
salaries of the justices of, established.. 55
provisions for writs of attachment and garnishment in..... 54
appropriation for salaries of justices of 205, 455
accounts of the clerk of, how to be settled..... 309
appropriation for increased pay of judges of..... 326
to make and establish rules of practice in cases before justices of the peace..... 402

Supreme Court of the District of Columbia, (continued.)
to prepare and publish forms of pleadings 402
to determine bill of fees and costs..... 402
execution of judgments of, not to be stayed, except, &c..... 402
to prescribe rules for the government, &c. of prisoners in the jail..... 407
Supreme Court of the United States,
appropriation for rooms for 18
for salaries, &c. of justices of the....205, 455
for travelling expenses of the justice assigned to the ninth circuit 205, 455
salary of reporter of decisions established 205
reports of decisions of, to be published in eight months..... 51
act to fix the number of judges of, &c.... 209
no vacancy in office of associate justice of, until the number is reduced to six..... 209
to consist thereafter of a chief justice and six associates..... 209
four to be a quorum 209
terms..... 209
circuits established..... 209
to make regulations and orders respecting appeals in cases of habeas corpus..... 386
powers and duties of, in writs of error...386, 387
chief justice and associate justices of the, to be allotted to the circuits by order of court..... 433
new allotments may be made when required or found expedient 433
if necessary at any other time than during the term, the chief justice to make it..... 433
to be binding until the next term and a new allotment.... 433
marshal of, may be appointed..... 433
assistant marshals and messengers.. 433
chief justice to nominate and recommend registers in bankruptcy..... 518
justices of, to frame general orders for practice and procedure in bankruptcy.. 521
no appeal or writ of error to, in cases of bankruptcy, unless matter in dispute exceed $2,000.....520, 521
Supreme Court-Room,
appropriations for improvements in..... 325
Surgeon-General,
appointment of..... 336
rank, pay, &c. of..... 334
appropriations for the office of the..199, 200, 449
Surgeon-General's Office,
purchase of medical works for..... 485
Surgeons,
definition of, and special tax on..... 121
in the army, number, rank, pay, &c. of.. 335
promotion of those in the volunteer service..... 423
Survey
of northern and northwestern lakes..... 488
Surveying, &c. Expeditions,
of the government, appropriation for preservation of collections of 19, 316, 464
Survey of Public Lands,
appropriations for the.....21, 318, 465
Survey of the Coast,
appropriations for the..... 457
Surveyor,
office of, at Snow Hill, discontinued..... 411
Surveyor-General,
authorized for Idaho..... 77
office at Boise City 77
for Nevada, appointment, pay, duties, and allowances of..... 86
location of office of..... 86
of Wisconsin and Iowa, office of, abolished, when, &c..... 198
of Iowa and Wisconsin, office of, removed to Plattsmouth, Nebraska 344
of Nebraska and Iowa 344
office and appointment of, authorized in the Territory of Montana 542
salary, clerk hire, office rent, duties..... 542
Secretary of Interior to locate office of.. 543
of District of Iowa and Nebraska, compensation of, established at $2,000.... 448
Surveyor of the Customs,
appointment of one authorized at Albany, N. Y..... 542
bond, oath, residence, duties..... 542
Surveyors,
certain duties or fees to be remitted or refunded to..... 186
Surveyors-General and their Clerks,
appropriations for.....198, 448
Surveyors of Customs. See *Fines, &c.*
share of proceeds of fines, penalties, &c. from seizures for breach of customs laws..... 546, 547
appropriations for compensation of, and for rent of offices of, in
California..... 448
Colorado and Utah 448
Dakota and Montana..... 448
Idaho..... 448
Iowa and Nebraska..... 448
Kansas..... 448
Minnesota..... 448
Nevada..... 448
New Mexico and Arizona..... 448
Oregon 448
Washington 448
Surveys,
of Behring's Straits, the North Pacific Ocean, and China seas..... 38
appropriations for, of certain public works, and improvements in harbors, rivers, bays, and flats..... 418, 422
See *Public Works.*
Suspension Bridge,
purchase of stone building and lot at.... 460
Sutler,
office of, abolished..... 336
articles, how to be furnished..... 336
when this provision takes effect..... 336
Sutro, A.,
right of way granted to, in aid of the construction of a draining and exploring tunnel to the Comstock lode, in Nevada..... 242
dimensions of tunnel..... 242
Comstock and other lodes excepted from this grant..... 243
owners of claims, &c. benefited by tunnel, to pay charges for drainage 243
may purchase two sections of land, not mineral, at mouth of tunnel, for its use..... 242
may purchase certain mineral veins and lodes..... 242
Swamp and Overflowed Lands in California,
provisions concerning..... 219, 220

Swiss, Joseph,
heirs of, to have a section of land, including house and improvements..... 690
Syphax, Maria,
title of, to certain land in Virginia, confirmed 589

T.

Tabegauche Bands,
appropriations for the 272, 275, 510
Tampico,
pay of consul at, established..... 225
Taverns, Keepers of,
definition of, and special tax on.....117, 118
Tax. See *Internal Revenue, Special Taxes.*
penalty for neglect or failure to pay when due, to be five per cent and interest ... 473
rate of interest to be one per cent a month..... 473
no interest for any fraction of a month 473
on spirits to be collected at no lower rate than basis of first proof..... 481
Taxes,
certain license of wholesale dealers may be refunded..... 301
assessment or collection of, by the authority of the United States or any State, not interfered with by bankruptcy act . 531
due the United States, and any State to have priority in payment of dividends from bankrupt estate..... 531
Taxes in the District of Columbia,
real property may be sold for 215
provisions as to sale and redemption of.....215, 216
See *Levy Court.*
Telegrams
for government, over certain telegraph lines, to have priority of transmission.. 221
Telegraph
between the Atlantic and Pacific States, appropriations for facilitating communication by.....22, 455
Telegraphic Communication,
between the United States and Cuba, the Bahamas, and other West India Islands, act to encourage..... 46
between the Eastern and Western continents, resolution to encourage and facilitate 350
Secretary of the Navy to detail a steam vessel to assist in making surveys and soundings..... 350
Telegraph Companies,
may maintain and operate lines of telegraph over public domain, along post, &c. roads, and across navigable waters of the United States..... 221
lines to be so constructed as not to obstruct navigation or interfere with travel..... 221
may take materials for construction from public lands..... 221
may pre-empt and use lands for stations, &c..... 221
limit to amount, &c. of..... 221
telegrams for government to have priority of transmission..... 221
rates to be annually fixed..... 221
rights and privileges hereby granted not to be transferred..... 221
the United States may purchase for post-
Telegraph Companies, (continued.)
al, &c. purposes all telegraph lines, at an appraised value..... 222
to accept this act in writing, before acting under it..... 222
Telegraph Despatches,
by State Department, over Atlantic cable, appropriation for..... 470
Telegraph Lines. See *Telegraph Companies.*
act to aid in the construction of, and to secure to the government the use of.. 221, 222
United States may buy, after five years, at an appraised value..... 222
from Springfield, Missouri, to the Pacific 293
land granted to the Atlantic and Pacific Railroad Company, to aid in the construction of..... 293
tax on gross receipts of..... 136
Temporary Clerks,
in Treasury Department, appropriation for.....195, 196, 469
may be classified..... 196, 469
unexpended balance of former appropriation, how divided..... 196
provision if balance is insufficient... 196
pay of, in office of Quartermaster-General 470
Temporary Loan Certificates,
may be issued to redeem compound-interest notes..... 558
amount outstanding at any time not to exceed $ 50,000,000..... 558
rate of interest 558
principal and interest payable in lawful money 558
may be held by banks as part of their reserve..... 558
Temporary Relief,
of the destitute population in the District of Columbia, provision for..... 353
how to be expended 353
Tender,
five-cent pieces to be legal to the amount of one dollar..... 47
Tennessee,
declared restored to the Union, and entitled to be represented in Congress... 364
provision as to jurisdiction of court of claims extended to..... 370
the insurrection declared to be at an end in 813
public lands to, for an agricultural college 569
post-routes established in..... 554
Territories, Governments in the,
appropriations for.....203, 204, 454, 455
elective franchise not to be denied in any, to any citizen on account of race, color, or previous condition of servitude..... 379
inconsistent laws repealed.....379, 380
See *Elective Franchise.*
salaries of the judges of the Supreme Courts of (except Montana and Idaho), to be $ 2,500..... 427
of Montana and Idaho..... 426
legislative assemblies of, not to grant special charters..... 426
may pass general incorporation acts, allowing associations for mining, manufacturing, and other industrial pursuits..... 426
jurisdiction of courts in, over matters of bankruptcy 541
Tetlow, James,
payment to, as contractor for building four steam tugboats..... 625

Texas,
act to provide for the more efficient government of 428
constituted part of the fifth military district..... 428
the insurrection declared to be at an end in 813
See *Rebel States.*
Texas Indians,
appropriations for the.....278, 513
expense of colonizing, on country leased from the Choctaws..... 513
Thames River,
appropriation for dredging, &c..... 469
gift of land in the, to be accepted if made 489
Thanksgiving and Praise,
day of, appointed by the President..... 817
Thanks of Congress,
to Vice-Admiral Farragut, his officers, seamen, &c., for gallantry and good conduct in the action in Mobile Bay.. 349
President and Secretary of the Navy to communicate this resolution, and how 349
to Major-General Winfield S. Hancock, for gallantry, &c. at Gettysburg..... 354
Theatres, Proprietors of,
definition of, and special tax on..... 120
The First Congregational Society of Washington,
act to incorporate.....382, 383
corporate powers..... 382
limit to amount of value of real estate... 382
exemption from taxes..... 382
first meeting of society..... 382
notice of that and other meetings.... 382
by-laws 383
powers of corporation to vest in board of trustees..... 383
number and term of office of trustees.... 383
Third Auditor,
appropriations for the office of the 195, 196, 445
Thompson, Alexander,
accounts of, to be adjusted..... 607
Three Months' Pay
to officers of volunteers below the rank of brigadier-general 94
Time,
rule for computation of, under the bankruptcy act.....540, 541
Timothy, a Chief of the Nez Percé's,
payment to..... 650
Tinfoil,
venders of, &c. to state the amount of sales thereof to certain persons..... 125
Tobacco,
penalty upon manufacturer of, for making without payment of tax..... 473
fine and imprisonment..... 473
proceedings in relation to the forfeiture and sale of..... 474
Tobacconists,
definition of, and special tax on 120
Tobacco, Snuff, or Cigars,
statement to be made by manufacturers of, 123
to be under oath, and contain what.. 123
manufacturers of, to give bond and in what sums for different machines or presses..... 123
conditions of bond 123
bond may be renewed or changed.. 123
collector to give certificate setting forth the kind and number of machines, &c. for which the bond is given.....123, 124
certificate to be exhibited to any revenue officer on demand..... 123
Tobacco, &c., (continued.)
penalty for manufacturing, without giving bond..... 124
record of persons manufacturing, to be kept open for inspection by assistant inspector..... 124
abstract of monthly returns to be entered thereon 124
assessor's record..... 124
when made on shares, or material is furnished by one, manufactured by another 124
penalty for fraud or collusion..... 124
manufacturer to make an inventory of, &c. owned by him on the first of January in each year..... 124
inventory to state what, and how verified 124
accounts to be kept in a book form of purchases and sales, &c..... 124
verified abstract of to be furnished the assessor monthly..... 124
penalty for neglect, &c. to keep accounts, &c.....124, 125
venders of tinfoil to state amount of sales thereof to certain persons..... 125
proceedings if such statement is not made or is believed to be fraudulent 125
provisions of law relating to manufacturers, to apply to those of tobacco..... 125
tax upon, to accrue upon sale or removal, unless removed to bonded warehouse.. 125
may be transferred, without payment of tax, to bonded warehouse, upon giving transportation bonds, &c..... 125
and from one bonded warehouse to another, or for export..... 125
regulations for removal of distilled spirits to apply to tobacco..... 125
no drawback upon manufactured..... 125
to be inspected..... 125
package to be marked or stamped, and how..... 125
fees of inspector..... 125
penalty for fraudulently marking or changing marks..... 125
cigars hereafter manufactured to be packed in boxes or paper packages..... 125
passing out of hands of manufacturers, &c. without inspection marks, except, &c. to be forfeited..... 125
account to be kept of stamps delivered to, or used by, inspectors 126
penalty for any person except the manufacturer parting with the possession of tobacco, &c. on which taxes have not paid 126
for receiving tobacco, &c. not inspected and branded, &c..... 126
for receiving, &c. from a manufacturer who has not paid the tax... 126
Todd, James,
payment to, as administrator of Joshua B. Todd..... 590
Toll-Roads, Ferries, and Bridges,
tax upon gross receipts of..... 136
not to be assessed where gross receipts for twelve months do not exceed needful repairs..... 136
no tax where gross receipts do not exceed $ 1,000 per annum..... 136
may be added to rate of fare until April 30, 1867..... 136
tax upon gross receipts of repealed..... 485

"*Ton*,"
a, for the purposes of the internal revenue acts to be 2,000 pounds..... 130
Tonnage Duty,
certain vessels to pay, of fifty cents per ton, by way of penalty..... 183
vessels paying only once a year, when to pay..... 185
when enrolled and licensed, vessels to pay..... 185
vessels between the United States and the Sandwich or Society Islands not to pay more than once a year..... 328
on vessels engaged in commerce to be levied, &c. only once in any year..... 485
rates of, on French vessels entering ports of the United States declared, and how long to continue in force.....Appx. ii.
suspended as to Hawaiian vessels...Appx. iii.
Tonnage Tax,
on vessels, &c. to be levied only once a year..... 485
Topographer,
appropriation for, for preparing, &c. post-route maps..... 201
Towing. See *Steam Tug-Boats*.
done by certain tug-boats, provision concerning..... 410
Town Authorities. See *Lands, Public*.
may enter certain public lands occupied as town sites, and so not subject to entry, at minimum price in trust, for the occupants thereof.....541, 542
trust how to be executed.....541, 542
act not to apply to reservations for public purposes through whatever title derived 542
nor to mines of gold, silver, or copper 542
Town Lots,
to be laid off in the Choctaw, &c. country 776
Trade with Indian Tribes,
provisions concerning..... 280
Transient Paupers,
care, support, and medical treatment of sixty in the District of Columbia...18, 462
Transit. See *Goods, &c.*
provision for goods in..... 328, 329
Transportation,
in bond of certain goods, provisions concerning..... 8
of the army, appropriation for..... 91
furnished to disabled soldiers going to get artificial limbs given them by the government..... 342
Travel,
allowance to army officers for, increased when, &c..... 93
Treasurer of the United States,
act to facilitate the settlement of the accounts of..... 41
provisions as to drafts, checks, or certificates, outstanding for three years....41, 42
"outstanding liabilities" account.....41, 42
to report annually to Secretary of Treasury condition of accounts of disbursing officers unchanged for three years.... 42
appropriations for, and for the office of 195, 196, 445, 446
salary of the, established..... 206
Treasury Buildings,
furniture, carpets, &c..... 461
continuation of treasury extension..... 461
Treasury Department,
appropriations for.....194–197, 444, 445
for contingent expenses of.....324, 445, 446
Treasury Department, (continued.)
books of, how to be kept, to show true operations of a certain section of the internal revenue act..... 480
Treasury Extension,
appropriations for.....17, 310
Treasury Notes,
may be received in exchange for bonds, &c. 31
not over ten millions to be retired in six months, and not over four millions a month afterward..... 32
bonds may be disposed of in the United States or elsewhere..... 32
public debt not to be thereby increased..... 32
appropriations for expenses of, and of loans.....205, 455
Treaties,
appropriation to negotiate with certain Indian tribes..... 358
with the Apache, Cheyenne, and Arrapahoe Indians.....703, 713
Blackfeet Indians..... 727
Bois Forte Indians..... 765
Camanche and Kiowa Indians..... 717
Cherokees..... 799
Cheyennes and Arrapahoes..... 703
Chippewa..... 657
Choctaws and Chickasaws..... 769
Creeks..... 785
Delawares..... 793
Japan.....655, 665
Kiowas..... 717
Lower Brulé Indians..... 699
Middle Oregons..... 751
Minneconjon Indians..... 695
Morocco..... 679
Nez Percé Indians..... 647
O'Gallala Indians..... 747
Omaha Indians..... 667
Onk-pah-pah Indians..... 739
Osage Indians..... 687
Poncas..... 675
Pottawatomie Indians..... 763
Sans Arcs Indians..... 731
Seminoles..... 755
Two Kettles Indians..... 723
Upper Yanktonais Indians..... 713
Wall-pah-pe Indians..... 683
Winnebago Indians..... 671
Yanktonais Indians..... 735
Trees, Tree-boxes, Shrubbery, and Planting,
appropriations for.....462–464
Trustees. See *Bankruptcy*.
to hold and distribute estate of bankrupt upon the superseding of bankrupt proceedings, under the direction of committee of creditors, provisions concerning.....538, 539
their rights, powers, and duties.....538, 539
Trust Funds for Indian Tribes,
appropriations for interest on non-paying stock of..... 279
to be applied only according to law and treaty stipulations..... 280
Trust Property. See *Bankruptcy*.
held by bankrupt, not to pass by assessment..... 523
bankrupt not discharged from debts created while acting in a fiduciary character 533
Tubular Bridge. See *Submerged Tubular Bridge*.
as submerged, may be built and maintained across the Mississippi river at St. Louis..... 408

Tufts, James,
accounts of for census of Montana to be adjusted and settled..... 461
Tug-Boats. See *Steam Tug-Boats.*
certain employed in towing, provisions concerning..... 410
Tuller, Owen,
claim of, for horses and other property impressed into the military service and lost, to be audited and paid..... 643
limit to amount to be allowed..... 643
Tunnel, Mining, Draining, and Exploring,
to the Comstock lode, in Nevada, grant in aid of the construction of..... 242
Turkey,
prisons for American convicts in, appropriation for rent of.....225, 414
Turkish Dominions,
appropriations for expenses of consulates in the.....225, 413
Turreted Iron-clad Vessels of War,
experiments to test relative powers of resistance of, &c.....488, 489
Twenty per cent additional Compensation,
to certain female clerks, messengers, watchmen, and laborers, continued in force..... 207
to certain officers, clerks, reporters, &c... 323
for the year ending June 30, 1866, to the employees in the civil service of the government, whose salaries do not exceed $3,500 per annum..... 569
that to the employees of the patent office to come from the patent office fund..... 569
Two Kettles Indians,
appropriations for the..... 273, 509
treaty with, of October 19, 1865..... 723
authority and jurisdiction of the United States acknowledged..... 723
persons and property of other tribes not to be first attacked..... 723
controversies to be submitted to the arbitrament of the President..... 723
Indians to withdraw from overland routes, &c..... 724, 725
annuities for twenty years..... 724, 725
individual Indians locating on lands to be protected..... 724
twenty families or lodges locating on lands for agricultural purposes, to receive a sum annually for tools, &c..... 724
teachers, farmer, and blacksmith..... 724
indemnity for United States soldiers killing a chief..... 724
payment to his widow and children. 724
any amendments to this treaty to be binding..... 724
ratification with amendments..... 725, 726

U.

Umatillas,
appropriations for the..... 266, 510, 511
Umpquas,
appropriations for the 256, 264, 493, 494, 510
Union Engine House,
in Washington, D. C., authority to occupy repealed..... 544
Union Pacific Railroad Company,
mileage of, government engineer to examine route of..... 20, 21
location of, from Omaha westward to connection with Central Pacific Railroad Company of California 80
time for completing Eastern division of, extended..... 355
right of way granted to, and to branches through the military reserves..... 367
grant of lands for depot and other purposes..... 367
conditions of grant..... 367
Union Pacific Railroad Company. Southern Branch.
under what conditions may build road from a certain point to Preston, Texas, with grant of lands..... 238
lands granted to Kansas to aid in the extension of, from Fort Riley to Fort Smith..... 289
extent and conditions of grant and selection of lands..... 289, 290
how to enure to benefit of the company..... 290
right of way granted to, materials for construction and grounds for stations.... 290
to accept the terms and conditions of grant in writing..... 290
may extend its road through the Indian Territory, by consent, to Fort Smith.. 291
right of way through Indian Territory, &c. 291
when Indian title is extinguished, and lands become public, grant thereof to the company..... 291
may acquire title from any Indian tribe.. 291
any railroad company may unite with this, after its road is located to the valley of the Neosho or Grand River.. 291
Union Pacific Railway Company,
may designate the general route of road before December 1, 1866..... 79
lands on line of, be then reserved from sale..... 79
amount of lands not to be affected... 79, 80
point of connection with Union Pacific Railroad..... 80
time for completing the eastern division of, extended..... 355
Union Soldiers, Sailors, and Marines,
rations of those held as prisoners of war in the rebel States..... 364
United States Army and Navy Journal,
certain laws to be published in officially 468
See *Army and Navy Journal.*
United States Courts,
jurisdiction, &c. of, under the civil rights act..... 27
removal of suits to, from State courts, provisions concerning....46, 171, 172, 306, 307
United States Exploring Expedition,
use of certain engraved plates of the, granted to the Navy Department for printing charts..... 366
United States Provisional Court,
for the State of Louisiana, act to provide for the suits, judgment, and business of 344
proceedings to be transferred to district court, and to be as though commenced there..... 344
certain, to go to circuit court..... 344
judgments of, to become at once the judgments of the district or circuit court, &c..... 344
records in certain suits to remain in district court without further action..... 344

Universal Exhibition. See *Industrial Exposition.*
at Paris, France, resolution to enable the people of the United States to participate in the advantages of the 362
appropriations for expenses of 362, 363
for general agent at New York.... 362, 363
office rent at New York 363
expenses at Havre and Paris 363
commissioners 363
detailed statement of expenditures to be made 363
Unlading,
of goods from vessels on northern, &c. frontiers, to be only in the daytime.... 184
regulations may be made for unlading at night 184
Upper Pen d'Oreilles,
appropriations for the 270, 501
Upper Yanktonai Indians,
treaty with, of October 28, 1865 743
jurisdiction and authority of the United States acknowledged 743
persons and property of other tribes not to be first attacked 743
controversies to be submitted to the arbitrament of the President 743
Indians to withdraw from overland routes 744
annuities to, for twenty years 744, 745
individual Indians locating upon lands to be protected 744, 745
twenty lodges or families locating upon lands for agricultural purposes, to receive a sum annually for tools, &c..... 744
teachers, farmer, and blacksmith 744
ratification with amendment 744
amendments to treaty to be binding..... 744
Upper Yanktonais,
appropriations for the 274, 509
Utah Territory,
appropriations for government in....204, 455
Indian service in 25, 279, 513
post-roads established in 287, 554
Utahs,
appropriations for the 272, 275, 510, 513

V.

Vacancies in Civil Offices,
how filled during the recess of the Senate 430, 431
Vacancies. See *Bankruptcy.*
in office of register of bankruptcy, how filled 519
Vaccination
of Indians, appropriations for expenses of 278, 514
Valence, Charles,
pension to 632
"Vehicles,"
the word to include what, in the act to prevent smuggling 178
when may be seized and forfeited..... 178
Velzy, Milton,
payment to, as a pension 632
Ventilating Apparatus,
appropriation for 192, 441
Vermont,
post-roads established in 8, 281
to be paid expenses for defence and protection of frontier 361, 362
amount not to exceed 362
Vermont and Canada Railroad Company,
may maintain railroad bridge at Rouse's Point 51
draws to be made therein 51
Vessels,
registered American, licensed, &c. under a foreign flag during the rebellion, not to be deemed an American vessel without act of Congress 3, 212
the term "vessel" to include what, under the act to prevent smuggling 178
may be stopped, seized, and searched ... 178
held for payment of penalties, and may be proceeded against 180
certain foreign, on northern frontiers, made to pay a tonnage duty 182, 183
enrolled or licensed, on northern, &c. frontiers, purchasing "sea stores" at any port in adjacent British provinces, to report the same at first port of arrival in the United States 183
to be forfeited, with goods, if, &c.... 183
"saloon stores or supplies" 183
equipments of, including boats and expenses of repairs to be entered, and pay a duty 183, 184
foreign provisions, as to manifests, to apply to 184
masters of, arriving in waters of the United States from foreign places adjacent to northern, &c. frontiers, to report at office of nearest collector 183
paying tonnage duty only once a year to pay same at first entry or clearance in each calendar year 185
unlading of vessels on northern, &c. frontiers to be made at open day, unless, &c. 184
regulations for, at night 184
inspectors of, there destined for one or more ports of the United States 184
Vessels of the United States,
system of numbering the enrolled, registered, and licensed, may be established 331
Vessels of War,
act for relief of certain contractors for... 424
claims of to be investigated 424
basis of the investigation 424
report to Congress 424
Veteran Reserve Corps,
officers of, now in Freedmen's Bureau, may be retained 174
to be officered by appointments from, &c. 332
Vice-Admiral,
grade of, in the navy, established 222
to be allowed a secretary 48
his pay and allowances 48
Vienna,
collection district of, abolished, and office of collector of, discontinued 410
part thereof added to the district of Cherrystone 410
the residue constituted the Eastern district 410
collector of said district, his compensation and residence 410
Crisfield to be the port of entry..... 410
Virginia,
post-route established in 554
act to change certain collection districts in 410
act to provide for the more efficient government of 428

Virginia, (continued.)
constituted the first military district..... 428
See *Rebel States.*
the insurrection declared to be at an end in 813
time and place of holding circuit court in 51
Visitors,
board of, for manual-labor school upon the Isabella reservation..... 659
Volunteer Naval Service,
officers of, transferred to regular navy or marine corps to be credited with their sea service..... 576
Volunteer Rank,
of regular army officers to be entered on army register..... 337
not to entitle to command, pay, &c.. 337
Volunteer Officers and Soldiers,
appointments from, under the act fixing the military peace establishment, to be distributed proportionately among the States, &c.....332, 333
this not to apply to California, Oregon, and Nevada..... 333
Volunteer Officers in the Navy,
President may retain or appoint..... 223
who may be examined as candidates for appointments into the navy.....222, 223
Volunteers,
payment to certain of the seventh West Virginia regiment.....645, 646
act declaring and fixing the rights of, as a part of the army.....434, 435
in computing the service of any army officer, the time of all actual service is to be taken into account..... 434
this provision to apply to all appointments under former act..... 434
all rules as to pay, allowances, rank, duties, &c. to apply alike to officers and soldiers of the regular army and of the volunteer service..... 435
State militia not affected..... 435
payment of the travelling expenses of certain California and Nevada..... 487
Volunteer Service,
in the army, brevets may be conferred on army officers for gallantry in the, prior to appointment in the army..... 517
Voters,
in the District of Columbia, qualifications of..... 375
mode of depositing votes at elections..... 375
attempts to influence improperly, punished 376
Voting Lists,
to be prepared, of voters in Washington and Georgetown.....375, 390
to be posted in public places ten days before elections..... 390

W.

Wages,
of persons employed in the customs or internal revenue, provisions as to payment of..... 185
not to be paid until oath is taken, &c. 185
Wagon Road,
from Sioux City to Fort Randall..... 21
from Rock Island to cities of Davenport and Rock Island, aid for constructing 76
Wah-pa-koo-ta Indians,
appropriations for the..... 279, 514
Wah-pa-tons,
appropriations for the..... 279
Wahpatons,
appropriations for the..... 514
Wallabout Bay,
further exchange of lands in, to be effected with the City of Brooklyn, N. Y. 492
Walla-Wallas,
appropriations for the.....266, 510, 511
Ward, Anna E.,
pension to..... 588
Warden of the Jail in the District of Columbia,
appropriation for salary of..... 464
War Department,
appropriations for expenses of the..199, 449, 450
Ward, Joseph D.,
pension to minor children of, if, &c..... 588
Ward, William E.,
patent of, for making rivets and screw-blanks, may be extended..... 633
intervening rights and use not affected..... 633
Warehouse,
for storage of bonded spirits of their own manufacture, to be provided by owners of distilleries..... 155
when may be declared a bonded warehouse..... 155
See *Bonded Warehouses, and General Bonded Warehouses.*
Warehouses, Government, and Wharves at Staten Island,
appropriations for..... 17
no part to be paid until, &c..... 26
Warrant. See *Bankruptcy.*
in voluntary proceedings in bankruptcy, when and how to issue..... 521
return of..... 522
fees for issuing, and service of..... 540
in involuntary proceedings..... 537
to enter premises and seize books, papers, and invoices in cases of suspected frauds on the revenue..... 547
not to issue unless, &c..... 547
return of, with report, &c..... 547
See *Frauds on the Revenue.*
Warrants,
for the payment and disbursement of the public money, Secretary of Treasury may authorize one of his assistant secretaries to sign in his stead..... 439
authority, how given..... 439
Washington, Alexandria, and Georgetown Railroad Company,
may extend its road to connect with the Washington Branch of the Baltimore and Ohio Railroad.....248, 249
certain provisions of former act applicable to this extension..... 249
may construct a draw or other bridge across the canal..... 249
may use steam power on the structure across the Potomac river, and in certain streets in Washington..... 249
limit to rate of speed..... 249
damages to private property..... 249
claim of D. Randolph Martin, assignee of, to be settled..... 642
Washington Aqueduct,
appropriations to complete..... 316
repairs of damages by freshet..... 374
appropriation for expenses, and repairs of..... 464
to be under the superintendence of the chief engineer of the army..... 466

Washington, City of,
appropriation for naval hospital at....36, 325
corporation of, how to light street lamps 315
appropriation to reimburse for expenses of streets..... 317
to prepare rooms, &c. for orphans' court and register of wills..... 317
may levy a tax therefor..... 318
may levy tax for increase of pay of police force..... 321
to contribute towards payment for jail.. 231
tax and proceedings in reference to..... 232
to contribute towards payment of a house of correction..... 235
proceedings in default of payment of..... 235
to levy a special tax for increased pay of metropolitan police..... 374
mayor and aldermen to prepare voting lists..... 375
duty of, in respect to such lists..... 375
judges of elections in, appointment, number, term, powers and duties of..... 390
See *District of Columbia.*
fire department of, may occupy certain engine-houses..... 397
amount to be raised and paid into the treasury towards the completion of the new jail..... 428
repeal of former law respecting.... 428
to bear its proportion of the increased pay of the metropolitan police 456, 457
proportion how ascertained.....456, 457
corporation of, how to light their lamps, and for what time..... 462
corporation of, to be paid for expenses in improving, &c. public streets, grounds, and bridges prior to May 5, 1864..... 558
account to be presented..... 558
items to be examined and proved.... 558
receipt in full to be given before payment..... 558
Washington County Horse Railroad Company,
act to incorporate the.....380, 381
route and rates of fare 380
railroad to be deemed real estate..... 380
liable to taxation, except, &c. 380
railway, how constructed; width and gauge of track..... 380
ordinary travel not to be interfered with 380
act may be altered, repealed, &c. 380, 382
corporation not to issue notes, &c. as currency 380
capital stock, shares, and how transferable 380
cars to be first class, and new as often as public convenience may require..... 380
offices, stables, &c.....380, 381
articles of value left in the cars, &c. how to be taken care of..... 381
freight for the use of the United States to be carried over the railway..... 381
compensation therefor..... 381
subscription to capital stock..... 381
meeting of subscribers for choice of directors..... 381
votes and proxies..... 381
directors, number, and term of office of.. 381
vacancies in board of, how filled.... 381
treasurer, election, board, &c. of..... 381
by-laws..... 382
annual meeting of stockholders..... 382
report to stockholders and to Congress..... 382
Washington County, &c., (continued.)
penalty for wilfully obstructing the railway..... 382
for impeding the cars..... 382
for injuring or destroying the cars, stations, &c..... 382
railway to be completed in a year..... 382
repeal of inconsistent laws..... 382
levy court of Washington County not to hinder, &c. the construction and operation of the railroad, as authorized by its charter..... 382
Washington, County of,
to contribute towards payment for jail... 231
for house of correction for boys 235
tax to be levied for.....231, 235
proceedings in default of payment of.....232, 235
to levy a special tax for increased pay of metropolitan police..... 374
Washington Gas Light Company,
charter of, amended 53
capital stock increased 53
Washington Temperance Society of Washington City and District of Columbia,
act of incorporation of.....291, 292
Washington Territory,
appropriations for government in....204, 455
post-roads established in 8, 287
sessions of legislative assembly to be biennial 77
members of council to be elected for four years 77
of house, for two years..... 77
their pay and mileage..... 77
time of first biennial election..... 77
enrolling clerk authorized for each house 79
pay of clerks..... 77
act of legislature relating to Skamania County disapproved 77
appropriations for Indian service in 278, 279, 512, 513
for Indian service in, in 1860-62.. 468
payment only to original owner of claim 468
appointment of clerks of district courts in 288
net proceeds of internal revenue of, for three years, to be applied to erection of penitentiaries in..... 377
limit of amount to be expended.... 377
at what places to be erected..... 377
Watchmen,
three additional, for the Smithsonian Grounds 365
in public buildings and grounds, appropriations for.....206, 374
appropriations for, and for additional pay of certain 206, 456
no person to be appointed who has not served in the army or navy and received an honorable discharge..... 457
Watchmen in Public Buildings and Grounds,
compensation of, established 321
Water-gauge
for steamboat boilers..... 227
Water-pipes in Washington, D. C.,
appropriations for.....18, 314
unlawful tapping of government, punished 251
Watertown Arsenal,
appropriations for purchase of Willard Sears estate adjoining 486
Watervliet Arsenal,
purchase of land for enlarging 92

Wax Tapers,
tax upon..... 145
Wearing Apparel,
duty on imported 561
Webb, W. H.,
claim of, for constructing the Dunderberg to be investigated..... 424
Webb, William H.,
rights of the United States to the iron-clad Dunderberg released to, upon repayment of money advanced..... 636
Webster, Captain John A., Jr.,
may receive a gold chronometer from the British government..... 642
Weighable Goods,
exported, on which drawback is allowed, and those withdrawn from bonded warehouses for export, to pay three cents per hundred pounds 289
Weighers, Custom-House,
at port of New York, annual salary of.. 289
increased pay not to exceed amount of fees earned by 289
pay of, established at Baltimore, Boston, New Orleans, New York, Philadelphia, Portland, and San Francisco..... 308
Weighers of Cotton,
appointment and pay of 101
Weighing and Gauging. See *Internal Revenue.*
of spirits, Secretary of Treasury may adopt rules, &c. to insure a uniform and correct system of 481
Weights and Measures,
the use of the metric system of, authorized 339
tables of equivalents.....339, 340
Weights and Measures of the Metric System,
set of the standard, to be furnished each State 369
Weiss, Charles N.,
pension to..... 622
Wellington, Daniel,
demand of, to be audited and settled.... 609
Wells, Eliza,
patent for making hat bodies, extended to, as administratrix of estate of Henry A. Wells.....637, 638
Wells, John, and Sons,
penalty under contract to be remitted to 610
Welsh, Catharine,
widow of John Welsh, to receive bounty, &c. due her husband, without further proof of his death 616
Western Pacific Railroad,
time for construction of first section of, extended upon condition 356
lands of ex-mission of San José not to be included in grant to..... 356
West India Islands,
act to encourage telegraphic communication with..... 44
West Point,
increased pay of professors at..... 422
Westport Harbor,
appropriation for..... 469
West Virginia,
post-roads established in.....8, 190, 282, 555
act to reimburse, for moneys expended in aiding to suppress the rebellion..... 68
commissioners to be appointed..... 68
oath, duties, and pay 68
no allowance except for actual services.. 68
rate of allowance for expenditures or services..... 68
West Virginia, (continued.)
commissioners to report to Secretary of Treasury..... 68
amount of direct tax to be deducted..... 68
amount to be audited, and what is found due to be paid 68
appropriation 68
escutcheon of, to be painted..... 314
consent of Congress to transfer of Berkeley and Jefferson counties from Virginia to .....* 350
circuit court for the district of West Virginia to be held at Parkersburg and not Lewisburg 369
medals to certain honorably discharged soldiers of, may be sent free through the mails by the Adjutant-General of.. 563
ascertainment and apportionment of the quota of direct tax to 568
to have same duties and privileges in respect to said tax as the other loyal States 568
collection of, to be suspended until June 1, 1867, unless the claim of West Virginia upon the United States is sooner adjusted 568
provisions as to tax in Berkeley and Jefferson counties..... 568
West Virginia Volunteers,
payment to certain enlisted men of the seventh regiment of.....645, 646
Wheeler, William H.,
duplicate bond, without coupons, to be issued to, on his giving, &c..... 599
Whelan, William,
payment of pension to guardian of orphan children of..... 643
Whipping or Maiming,
as a punishment for crime, forbidden in any State lately in rebellion, until, &c..... 487
Whitaker, Walter C.,
payment to, of pay and allowances as colonel of infantry..... 642
"White,"
the word stricken out of the acts relating to the militia..... 423
Whitehall, N. Y.,
made a port of delivery in the collection district of Champlain..... 94
Wholesale Dealers,
definition of, and special tax on..... 115
certain license taxes of, may be refunded..... 301
Wholesale Dealers in Liquors,
definition of, and special tax on 116
penalty for carrying on business without payment of special tax 473
fine and imprisonment 473
definition of 474
Wichitas,
appropriations for the 278, 513
Widows,
when may receive accrued pension..... 58
pensions of certain increased 230
having claim for pension pending at date of remarriage 231
abandoning their children, or not fitted to take care of them, not to receive pensions..... 58
of colored soldiers and sailors..... 58
Widows of Revolutionary Soldiers,
pensions of, increased..... 566
increase to date from Sept. 30, 1865..... 566

Wife. See *Bankruptcy.*
of bankrupt may be required to attend before the court, to be examined as a witness 529
Willard Sears Estate,
adjoining Watertown arsenal, appropriation for 486
Willcox, Altazera L.,
pension to 581
Willey, Martha J.,
pension to 586
Williams, Guerdon O.,
grant to and associates, of use of portion of military reserve on St. Clair river for horse railroad 348
Wills. See *Probate of Wills.*
stamp duty on 475
Wilmington,
collection district of, established 411
boundaries of 411
Wilmington, port of entry of 411
collector, residence, salary, &c. 411
Wilson, Sarah E.,
pension to 583
Wilson's Island,
may be taken for use of armory, &c. at Rock Island 76
Wilson, Thomas F.,
payment to, for services as consul 584
Wilson, Virginia S.,
widow of George W. Wilson, payment to, of pension accrued to her husband 642
Winans, Joanna,
pension to 587
Wines,
in bottles, may be imported in boxes containing not less than, &c. 328
in less quantities if shipped after October 1, 1866, to be forfeited 328
dutiable value of certain, how determined 330
tax upon those made in imitation of champagne, and put up in bottles 158
Wingate, William P.,
in settling accounts of, as collector, certain additional duty not to be exacted. 639
Winnebago Indians,
appropriations for the 258, 265, 280, 494, 511
reservation purchased for 667, 668
treaty with, of March 8, 1865 671
reservation in Dakota ceded to the United States 671
one to be set apart for them in Nebraska 671
boundaries 671
the United States to make improvements, furnish cattle, seeds, and agricultural implements 671
to erect agency and other buildings and houses for chiefs 672
to pay expenses of removal and subsist them for one year 672
amendment 672, 673
Winnebago Island
may be taken for use of armory, &c. at Rock Island 176
Winona and Saint Peter Railroad Company,
may build a bridge across the Mississippi river 245
Winslow, Daniel,
and legal representatives, relieved from contract and judgments 602
Winslow, Katharine F.,
mother of Cleveland Winslow, pension to 615
Wisconsin,
grant of public lands to, for breakwater, harbor, and ship canal 30
lands how to be selected 30
to be subject to the control of the State legislature 30
canal to be public highway 30
before lands are disposed of, plans of works to be filed 30
if works are not completed in three years, the unsold lands to revert to the United States 30
accounts of sales and of cost of works to be kept 30
when work is paid for, only what tolls to be charged 31
width and depth of canal 31
post-roads established in 8, 189, 286, 555
certain words in grant of lands to, in aid of the construction of certain railroads, in reference to their location, how construed 360, 361
disposition of former grant to, by the legislature of, assented to 361
Wisconsin and Iowa,
office of surveyor-general of, abolished, when, &c. 198
office of surveyor-general of, removed to Plattsmouth, Nebraska 344
Witnesses,
for the defendant in criminal trials in the District of Columbia, may be summoned and paid by the government 407, 408
in government cases in the United States courts, appropriations for expenses of .. 449
in cases in the court of claims, not to be excluded on account of color 457
provision for the attendance and examination of, in proceedings in bankruptcy 518, 519, 520, 527, 528, 529, 536
may be compelled to attend, &c. before register 520
may be summoned in regard to proof of claims 528
in the examination of bankrupts ... 529
wife of bankrupt may be required to attend before the court to be examined on 529
See *Bankruptcy.*
Witter, Jerusha,
pension to 591
Wolcott, Erastus B.,
appointed manager of National Asylum for Disabled Volunteer Soldiers 563
Woll-pah-pe Indians,
treaty with the Woll-pah-pe tribe of Snake Indians, of August 12, 1865 683
peace and friendship, prisoners and slaves 683
cession of lands to the United States 683
boundaries of land ceded 683
Indians to remove to reservation and remain there 683
to submit to the United States and not commit depredations 683
offenders to be surrendered 683
wrongs upon the Indians how redressed .. 684
to try to induce hostile tribes to cease hostilities 684
will not sell arms, &c. to hostile tribes .. 684
fencing and cultivating lands, seeds and tools 684
expenditures beneficial for their morals and civilization 684
physician, teachers, mechanics 684

Woll-pah-pe Indians, (continued.)
school-houses, mills, &c. 684
allotment of lands in severalty, where, &c. 685
possession of ardent spirits on reservation how punished 684
treaty when to be obligatory 684
ratification, &c. 685
Woodscrews,
tax upon 474
Woodward, Elizabeth,
widow of Absalom Woodward, payment to, for property destroyed by Indians .. 609
Wool, Manufactures of,
internal revenue tax upon 475
Wool. See *Duties.*
act to provide increased revenue from, imported 559, 562
unmanufactured wool, duty on 559, 560
to be divided into three classes 559
mode of ascertaining duty on 560
manufactures of, duties upon 561, 562
Wools, Long Combing or Carpet,
provisions as to dutiable value of certain 330
Woolsey, Commander Melancthon B.
may be restored to the active list of the navy 352
Workingmen,
in navy yards, not to be required or requested by any officer or employee of the government to pay money for political purposes 492
penalty upon officers and employees for so doing 492
not to be discharged for their political opinions 492
Worsted Goods and Yarns,
duty on imported 561
Worster, Lemuel,
pension to 619
Wrenn, Joseph,
pension to 628
Wright, Reuben,
claim against the Choctaws, &c. for damages to be determined 782, 783
Writs of Error,
from the Supreme Court of the United States, for what causes may be issued 386, 387
citation how signed 387
effect of writ 387
proceedings upon reversal of judgment or decree complained of 387
Supreme Court may proceed to final decision and award execution, or remand case to inferior court 387
in bankruptcy proceedings 520
not to be allowed unless statute provisions are complied with 520
not to be allowed in any case to Supreme Court of the United States unless matter in dispute exceeds $ 2,000 ..... 520, 521
Writs of Error, (continued.)
to the Supreme Court of the United States already brought from districts in which the sessions of the courts have been interrupted by insurrection or rebellion to be valid, &c. 545
may be brought within one year 545
act not to apply to certain cases 545
Writs of Error in Criminal Cases,
to Supreme Court of the United States, when issued defendant not to be relieved, if charged with bailable offence until he gives bond 173
if offence is not bailable, until final judgment on the writ of error 173
to have certain precedence upon the docket of the Supreme Court 173
Wyandotte Indians,
appropriation to rebuild the church buildings and library of the mission church of the 309, 310

Y.

Yakamas,
appropriations for the 267, 277, 511
Yanctons,
appropriations for the 265, 278, 512, 514
Yanktonai Indians,
treaty with, of October 20, 1865 735
jurisdiction and authority of the United States acknowledged 735
persons and property of other tribes not to be first attacked 735
controversies to be submitted to the arbitrament of the President 735
Indians to withdraw from overland routes 736
annuities to, for twenty years 736, 737
individual Indians locating upon lands to be protected 736
twenty lodges or families locating upon lands for agricultural purposes to receive a sum annually for tools, &c. 736
teachers, farmer, and blacksmith 736
amendments to be binding 736
ratification with amendments 737
Yanktonais,
appropriations for the 274, 509
Yards and Docks, Bureau of,
appropriations for 33, 200, 450, 451, 489, 490
additional clerks in, authorized 207
clerks and draughtsman authorized in ... 450
York, Elizabeth,
pension to 582
Young, Captain John J.,
payment to, as captain on the retired list of the navy 625
Youly, Charles,
payment to 582
Young Men's Christian Association,
when to receive property, &c. of the joint stock company of the Young Men's Christian Association 551

Cambridge: Stereotyped and Printed by Welch, Bigelow, & Co.

ST. JOHN'S UNIVERSITY
3 5951 014292240
OAMGENPUB7477