the district attorney of the district in which any fine, penalty, or forfeiture may be incurred for the violation of any law of the United States relating to the revenue, a statement 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 condemnation or conviction, and such district attorney shall cause the proper proceedings to be commenced and prosecuted without delay for the fines, penalties, and forfeitures by law in such case provided, unless, upon inquiry and examination he shall decide that such proceedings cannot probably be sustained, or that the ends of public justice do not require that proceedings should be instituted, in which case he shall report the facts in customs cases to the Secretary of the Treasury, and in internal-revenue cases to the commissioner of internal revenue, for their direction: and for the expenses incurred and services rendered in all such cases the district attorney shall receive and be paid from the treasury such sum as the Secretary of the Treasury shall deem just and reasonable upon the certificate of the judge before whom such cases are tried or disposed of: *Provided, however*, That the annual compensation of such district attorney shall not exceed the maximum amount now prescribed by law; and if any collector shall in any case fail to report to the proper district attorney as prescribed in this section, such collector's right to any compensation, benefit or allowance in such case shall be forfeited to the United States, and the same may, in the discretion of the Secretary of the Treasury, be awarded to such persons as may make complaint and prosecute the same to judgment or conviction.

cases of fines, penalties, and forfeitures, with names of witnesses, &c.

Proceedings to be commenced without delay, unless, &c.

If proceedings are not instituted, facts to be reported;

compensation to district attorney, but, &c.

Collector not reporting, to forfeit right of compensation, &c.

APPROVED, March 3, 1873.

CHAP. CCXLV. — *An Act to regulate the Taking of Testimony in certain Cases.* March 3, 1873.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no witness shall be compelled to appear or to testify before any commissioner or officer appointed to take testimony under letters rogatory, issued or to be issued from any court in any foreign country, in any suit or proceeding in which the government of such foreign country shall be a party of record or in interest, except for the purpose of answering specific written interrogatories issued with and accompanying such letters rogatory, and addressed to such witness. *Provided*, That when counsel for all the parties attend the examination, they may consent that questions in addition to those accompanying the letters rogatory may be put to the witness, unless the letters rogatory exclude such additional interrogatories.

Witnesses not compelled to appear or testify before commissioner to take testimony, under letters rogatory from foreign court, when, &c., except, &c.;

SEC. 2. That no witness shall be required, on such examination, or any other under letters rogatory, to make any disclosure or discovery which shall tend to criminate him either under the laws of the State or Territory within which such examination is had, or any other, or any foreign State.

nor to make disclosures tending to criminate themselves.

APPROVED, March 3, 1873.

CHAP. CCXLVI. — *An Act to restore Absalom Kirby as second assistant Engineer in the Navy.* March 3, 1873.

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 restore Absalom Kirby to his original position on the active list as a second assistant engineer in the navy of the United States.

Absalom Kirby may be replaced as second assistant engineer.

APPROVED, March 3, 1873.

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