

manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life."

Approved, March 3, 1883.

CHAP. 115.—An act to refund to the State of Georgia certain money expended by said State for the common defense in 1777.

Mar. 3, 1883.

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 State of Georgia, or its lawfully-authorized agent, out of any money in the Treasury not otherwise appropriated, the sum of thirty-five thousand five hundred and fifty-five dollars and forty-two cents; the payment herein directed to be made being for money paid by said State for supplies for the troops in seventeen hundred and seventy-seven, under the command of General James Jackson, engaged in local defense for the common cause of Independence, and which sum was not included in the account of the State of Georgia in the settlement with the general government under the assumption act of seventeen hundred and ninety.

State of Georgia.
Payment to.
Appropriation.

Approved, March 3, 1883.

CHAP. 116.—An act to afford assistance and relief to Congress and the executive departments in the investigation of claims and demands against the government.

Mar. 3, 1883.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever a claim or matter is pending before any committee of the Senate or House of Representatives, or before either House of Congress, which involves the investigation and determination of facts, the committee or house may cause the same, with the vouchers, papers, proofs, and documents pertaining thereto, to be transmitted to the court of Claims of the United States, and the same shall there be proceeded in under such rules as the court may adopt. When the facts shall have been found, the court shall not enter judgment thereon, but shall report the same to the committee or to the house by which the case was transmitted for its consideration

Claims, etc., pending before Congress involving investigation to be referred to Court of Claims, U. S.

SEC. 2. That when a claim or matter is pending in any of the executive departments which may involve controverted questions of fact or law, the head of such department may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said court, and the same shall be there proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall not enter judgment thereon, but shall report its findings and opinions to the department by which it was transmitted for its guidance and action.

Certain claims pending in executive departments may be transmitted, etc., to Court of Claims.

SEC. 3. The jurisdiction of said court shall not extend to or include any claim against the United States growing out of the destruction or damage to property by the Army or Navy during the war for the suppression of the rebellion, or for the use and occupation of real estate by any part of the military or naval forces of the United States in the operations of said forces during the said war at the seat of war; nor shall the said court have jurisdiction of any claim against the United States which is now barred by virtue of the provisions of any law of the United States.

Claims not within jurisdiction of court.

SEC. 4. In any case of a claim for supplies or stores taken by or furnished to any part of military or naval forces of the United States for their use during the late war for the suppression of the rebellion, the petition shall aver that the person who furnished such supplies or stores,

Claims for supplies, etc., furnished for suppression of the rebellion.

Loyalty to be a jurisdictional fact.

or from whom such supplies or stores were taken, did not give any aid or comfort to said rebellion, but was throughout that war loyal to the government of the United States, and the fact of such loyalty shall be a jurisdictional fact; and unless the said court shall, on a preliminary inquiry, find that the person who furnished such supplies or stores, or from whom the same were taken as aforesaid, was loyal to the Government of the United States throughout said war, the court shall not have jurisdiction of such cause, and the same shall, without further proceedings, be dismissed.

Defense, etc., for the United States.

SEC. 5. That the Attorney-General, or his assistants, under his direction, shall appear for the defense and protection of the interests of the United States in all cases which may be transmitted to the Court of Claims under this act, with the same power to interpose counter-claims, offsets, defenses for fraud practiced or attempted to be practiced by claimants, and other defenses, in like manner as he is now required to defend the United States in said court.

Parties in interest may testify, etc.

SEC. 6. That in the trial of such cases no person shall be excluded as a witness because he or she is a party to or interested in the same.

Reports of Court of Claims may be continued, etc., for action.

SEC. 7. That reports of the Court of Claims to Congress under this act, if not finally acted upon during the session at which they are reported, shall be continued from session to session and from Congress to Congress until the same shall be finally acted upon.

Approved, March 3, 1883.

Mar. 3, 1883.

CHAP. 117.—An act to ratify the issuance of duplicate checks in certain cases by the superintendent of the mint of the United States at San Francisco

Issuance of duplicate checks in certain cases by Superintendent U. S. Mint, San Francisco, ratified.
Preamble.

Whereas, Henry L. Dodge, as superintendent of the United States mint at San Francisco, California, did, on January thirteenth, anno Domini eighteen hundred and eighty-one, draw three certain checks upon the assistant treasurer of the United States at New York, all dated on that day, and all payable to Robert B. Hill, or order, to-wit: One numbered twenty-four hundred and eighty, for twenty thousand dollars; one numbered twenty-four hundred and eighty-one, for nineteen thousand five hundred dollars; and one numbered twenty-four hundred and eighty-two, for two thousand five hundred dollars, and all delivered to said Hill in purchase of silver bullion for the United States; and

Whereas it was thereafter made to satisfactorily appear to said Dodge that the said three checks had been, in due course of business, sold, assigned, and delivered to Wells, Fargo and Company, a banking and express corporation doing business within the United States, and having an office at said city of San Francisco, and that after such sale and delivery, and while in the custody of said corporation, the said three checks had been destroyed by fire; and

Whereas thereafter, to-wit, on the twenty-fifth day of February, anno Domini eighteen hundred and eighty-one, upon the application of said corporation, the said Dodge, as superintendent as aforesaid, did issue and deliver to said corporation duplicate or second originals of all three of said checks: Therefore,

Ratification.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts of the said Dodge, as such superintendent as aforesaid, in issuing said duplicate checks, are hereby ratified and confirmed: *Provided,* That the said corporation shall, within three months from the passage of this act, execute and deliver to the Secretary of the Treasury of the United States, a bond, with sufficient sureties, to be approved by the assistant treasurer of the United States at San Francisco, conditioned to indemnify the United States against any loss or damage that may arise by the issuance by said three duplicate checks.

Approved, March 3, 1883.