CHAP. LXXIX. — *An Act to amend the Act to provide for the Transportation of the Mail between the United States and foreign Countries, and for other Purposes.*

June 27, 1848.

1845, ch. 69.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General, under the direction of the President of the United States, be, and he is hereby, authorized and empowered to charge upon, and collect from, all letters and other mailable matter carried to or from any port of the United States, in any foreign packet ship or other vessel, the same rate or rates of charge for American postage which the government to which such foreign packet or other vessel belongs imposes upon letters and other mailable matter conveyed to or from such foreign country in American packets or other vessels, as the postage of such government, and at any time to revoke the same. And it shall be the duty of all custom-house officers and other United States agents, designated or appointed for that purpose, to enforce or carry into effect the foregoing provision, and to aid or assist in the collection of such postage. And to that end it shall be lawful for such officers and agents, on suspicion of fraud, to open and examine, in the presence of two or more respectable persons, being citizens of the United States, any package or packages supposed to contain mailable matter, found on board such packets or other vessels, or elsewhere, and to prevent, if necessary, such packets or other vessels from entering, breaking bulk, or making clearance, until all such letters or other mailable matter are duly delivered into the United States post-office.

The Postmaster-General to charge upon and collect from all letters, &c., carried in foreign packets, the same rate of postage which the governments to which such foreign packets belong impose upon letters, &c., carried in American packets.

Custom-house and other United States officers required to aid in carrying this provision into effect.

Examination of packages authorized.

SEC. 2. *And be it further enacted*, That all letters or other mailable matter conveyed to or from any port of the United States, by any foreign packet or ship except such unsealed letters relating to said ship or vessel, or any part of the cargo thereof, as may be directed to the owner or owners, consignee or consignees, of said ship or other vessel, shall be so subject to postage charge as aforesaid, whether addressed to any person in the United States or elsewhere: *Provided*, It is done by the packet or other ship of a foreign country imposing postage on letters or mailable matter conveyed to or from such country, by any packet or other ship of the United States; and such letters or other mailable matter carried in foreign packet ships or other vessels, except such unsealed letters relating to the ship or vessel, or any part of the cargo thereof, as may be directed to the owner or owners, consignee or consignees, as aforesaid, are hereby required to be delivered into the United States post-office by the master or commanders of all such packets or other vessels when arriving, and to be taken from a United States post-office when departing, and the postage paid thereon justly chargeable by this act; and for refusing or failing to do so, or for conveying said letters, or any letters intended to be conveyed in any ship or vessel of such foreign country, over or across the United States, or any portion thereof, the party offending shall, on conviction, forfeit and pay not exceeding five thousand dollars for each offence.

All letters, &c., conveyed by any foreign packet or ship to or from any port of the United States, to be subject to postage charge as aforesaid, except letters relating to the vessels or cargoes, directed to the owners and consignees of said vessels.

Penalty for refusing or failing to comply with the provisions of this section.

SEC. 3. *And be it further enacted*, That in case the person or persons, or the directors of any incorporated company, who have entered into any contract, or who may hereafter enter into any contract, with the Postmaster-General, for conveying the mail of the United States to any foreign country, in pursuance of the act entitled "An Act to provide for the transportation of the mail between the United States and foreign countries, and for other purposes," approved the third day of March, eighteen hundred and forty-five, or of any other act, in which said contract there is a stipulation, on the part of such contractor, giving to the United States the right to purchase, at an appraised value, the steam-ship or ships required by such contract to be employed in

Penalty on contractors who shall refuse to deliver up, at the appraised value, the steam-ships employed by them in carrying said mails.

1845, ch. 69.

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conveying the mail, shall decline to sell and deliver to the United States such ship or ships, or shall refuse to name and appoint appraisers to value the same, agreeably to the provisions of said act, or the same having been appraised and valued, shall refuse to convey and deliver said ship or ships to the United States, on the payment, or tender of payment, by the United States, of the sum at which the said ship or ships may have been appraised and valued, such person or persons so offending shall forfeit a sum not exceeding one hundred thousand dollars, to be recovered in any proper action, for the use of the treasury of the United States; and in case of refusal or inability to pay the same, shall be liable to be imprisoned not exceeding one year, at the discretion of the court rendering judgment for such penalty.

Postmaster-General may impose fines on contractors for unreasonable or unnecessary delay, &c.

Sec. 4. *And be it further enacted*, That to secure the regular transmission of the mail to and from foreign countries, the Postmaster-General be, and he is hereby, authorized and required to impose fines on contractors, for any unreasonable or unnecessary delay in the departure of such mails, or in the performance of the trip: *Provided*, That the fine for any one default shall not exceed one half of the contract price paid for the trip.

Proviso.

Contracts for foreign mail service not to be assignable.

Sec. 5. *And be it further enacted*, That it shall not be lawful for any contractor for transporting the mail to any foreign country to assign or transfer his contracts; and all such assignments or transfers shall be null and void: *Provided*, That assignments and transfers which have been made and accepted by the Postmaster-General or the Secretary of the Navy before the passage of this act, shall not be affected by this section.

Proviso.

Approved, June 27, 1848.

June 28, 1848.

Chap. LXXXII.—*An Act concerning the taking of official Oaths in the District of Columbia.*

Any one of the judges of the Circuit Court, or the judge of the Criminal Court, of the District of Columbia, may administer official oaths.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all official oaths required by law to be taken by officers of the United States may, in the District of Columbia, be administered and certified by any one of the judges of the Circuit Court, or by the judge of the Criminal Court of the said District.

Approved, June 28, 1848.

June 28, 1848.

Chap. LXXXIII.—*An Act respecting certain Surveys in the State of Florida.*

Certain islands, keys, and other lands in South Florida to be surveyed.

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 is hereby authorized and directed to cause to be surveyed, as soon as practicable, the islands and keys, and other lands in South Florida, interspersed with water, which cannot conveniently be connected with the regular public surveys; and also the private claims or grants which have been duly confirmed, situate in said State; and that such surveys of said islands, keys, and lands interspersed with water as aforesaid may be made by such persons on such terms, and in such mode and manner, as said commissioner may deem most expedient and proper, without connection thereof with the other public surveys, by township lines; but the expense thereof shall not exceed the maximum price per mile heretofore allowed for surveys by the United States in other States or Territories; and the surveys of said private claims or grants may be made by such persons, and on such terms, as said commissioner may deem most expedient and proper; but the expense thereof shall not in any case exceed twenty-

Expense of surveys limited.