

SEC. 2. *And be it further enacted*, That any corporation, or any member thereof, *orther* [other] than a banking corporation, organized under a law of the United States, and against which a suit at law or in equity has been or may be commenced in any court other than a circuit or district court of the United States, for any liability or alleged liability of such corporation, or any member thereof as such member, may have such suit removed from the court in which it may be pending, to the proper circuit or district court of the United States, upon filing a petition therefor, verified by oath, either before or after issue joined, stating they have a defence arising under or by virtue of the Constitution of the United States, or any treaty or law of the United States, and offering good and sufficient surety for entering in such court on the first day of its session, copies of all process, pleadings, dispositions, testimony, and other proceedings in said suit, and doing such other appropriate acts as are required to be done by the act entitled "An act for the removal of causes in certain cases from State courts," approved July twenty-seventh, eighteen hundred and sixty-six; and it shall be thereupon the duty of the 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 then proceed in the same manner as if it had been brought there by original process, and all the provisions of said act in this section referred to, 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.

Suits in State courts against corporations, except, &c. may be removed to United States courts for certain reasons.

Practice in such cases. 1866, ch. 288. Vol. xiv. p. 306.

APPROVED, July 27, 1868.

CHAP. CCLVI. — *An Act to protect the Rights of actual Settlers upon the public Lands of the United States.*

July 27, 1868.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in no case shall more than three sections of public lands of the United States be entered in any one township by scrip issued to any State under the act approved July second, eighteen hundred and sixty-two, for the establishment of an agricultural college therein.

Not over three sections of public lands in any township to be entered by agricultural college land scrip. 1862, ch. 130. Vol. xii. p. 503.

APPROVED, July 27, 1868.

CHAP. CCLVII. — *An Act changing the Ports of Entry from Plymouth to Edenton, in North Carolina, and Port Royal to Beaufort, in South Carolina.*

July 27, 1868.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the port of entry in the Albemarle collection district be removed from Plymouth to Edenton, North Carolina, and also that Beaufort, in South Carolina, be created a port of entry in lieu of Port Royal, which is hereby abolished as a port of entry.

Edenton, N. C. and Beaufort, S. C. made ports of entry.

Port Royal, abolished as a port of entry.

APPROVED, July 27, 1868.

CHAP. CCLVIII. — *An Act in Amendment of an Act entitled "An Act to establish a uniform System of Bankruptcy throughout the United States," approved March second, eighteen hundred and sixty-seven.*

July 27, 1868.

1867, ch. 176. Vol. xiv. p. 517.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of second clause of the thirty-third section of said act shall not apply to the cases of proceedings in bankrupt[cy] commenced prior to the first day of January, eighteen hundred and sixty-nine, and the time during which the

In proceedings in bankruptcy commenced after Jan. 1, 1869, discharges not to be granted to debtor

whose assets do not pay fifty per cent, unless, &c.

operation of the provisions of said clause is postponed shall be extended until said first day of January, eighteen hundred and sixty-nine. And said clause is hereby so amended as to read as follows: In all proceedings in bankruptcy commenced after the first day of January, eighteen hundred and sixty-nine, no discharge shall be granted to a debtor whose assets shall not be equal to fifty per centum of the claims proved against his estate upon which he shall be liable as the principal debtor, unless the assent in writing of a majority in number and value of his creditors to whom he shall have become liable as principal debtor, and who shall have proved their claims, be filed in the case at or before the time of the hearing of the application for discharge.

Amendments to bankruptcy act, sections 14, 22, 39, 42, 44, 47.

SEC. 2. *And be it further enacted*, That said act be further amended as follows: The phrase "presented or defended," in the fourteenth section of said act shall read "prosecuted or defended"; the phrase "non-resident debtors" in line five, section twenty-two, of the act as printed in the Statutes at Large, shall read "non-resident creditors"; that the word "or" in the next to the last line of the thirty-ninth section of the act shall read "and"; that the phrase "section thirteen" in the forty-second section of said act shall read "section eleven"; and the phrase "or spends any part thereof in gaming" in the forty-fourth section of said act shall read "or shall spend any part thereof in gaming"; and that the words "with the senior register, or" and the phrase "to be delivered to the register" in the forty-seventh section of said act be stricken out.

Registers may administer certain oaths.

Commissioners may take proof of debts, subject, &c.

SEC. 3. *And be it further enacted*, That registers in bankruptcy shall have power to administer oaths in all cases and in relation to all matters in which oaths may be administered by commissioners of the circuit courts of the United States, and such commissioners may take proof of debts in bankruptcy in all cases, subject to the revision of such proofs by the register and by the court according to the provisions of said act.

APPROVED, July 27, 1868.

July 27, 1868.

CHAP. CCLIX. — *An Act to transfer to the Department of the Interior certain Powers and Duties now exercised by the Secretary of the Treasury in Connection with Indian Affairs.*

The supervisory and appellate powers as to Indian affairs, &c. now vested in the Secretary of the Treasury, to be exercised by the Secretary of the Interior.

1848, ch. 118, § 4.

Vol. ix. p. 264.

Vol. vii. p. 385.

Vol. vii. p. 454.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the powers and duties devolving upon the Secretary of the Treasury, under and by virtue of the fourth section of the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes for the year ending June thirtieth, eighteen hundred and forty-nine, and for other purposes," approved July twenty-ninth, eighteen hundred and forty-eight, and the powers and duties devolving upon him under and by virtue of the laws relating to the investment of the moneys in behalf of the Cherokee Indians, from the sales of land under the treaties concluded at Pontotoc, October twentieth, eighteen hundred and thirty-two, and at Washington City, May twenty-fourth, eighteen hundred and thirty-four, as also all other supervisory and appellate powers and duties in regard to Indian affairs, which may now by law be vested in the said Secretary of the Treasury, shall from and after the passage of this act be exercised and performed by the Secretary of the Department of the Interior.

Census to be taken of Eastern Cherokees, on which payments shall be made.

Commissioner of Indian affairs to supervise Eastern Cherokees.

SEC. 2. *And be it further enacted*, That the Secretary of the Interior shall cause a new roll or census to be made of the North Carolina or Eastern Cherokees, which shall be the roll upon which payments due said Indians shall be made.

SEC. 3. *And be it further enacted*, That hereafter the Secretary of the Interior shall cause the commissioner of Indian affairs to take the same supervisory charge of the Eastern or North Carolina Cherokees as of other tribes of Indians.

APPROVED, July 27, 1868.