

into the Indian country. Every person who sells, exchanges, gives, barter, or disposes of any ardent spirits, ale, beer, wine, or intoxicating liquors of any kind to any Indian under charge of any Indian superintendent or agent, or introduces or attempts to introduce any ardent spirits, ale, wine, beer, or intoxicating liquor of any kind into the Indian country shall be punished by imprisonment for not more than two years, and by fine of not more than three hundred dollars for each offense. But it shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into the Indian country that the acts charged were done under authority in writing from the War Department, or any officer duly authorized thereunto by the War Department. All complaints for the arrest of any person or persons made for violation of any of the provisions of this act shall be made in the county where the offense shall have been committed, or if committed upon or within any reservation not included in any county, then in any county adjoining such reservation, and, if in the Indian Territory, before the United States court commissioner, or commissioner of the circuit court of the United States residing nearest the place where the offense was committed, who is not for any reason disqualified; but in all cases such arrests shall be made before any United States court commissioner residing in such adjoining county, or before any magistrate or judicial officer authorized by the laws of the State in which such reservation is located to issue warrants for the arrest and examination of offenders by section ten hundred and fourteen of the Revised Statutes of the United States. And all persons so arrested shall, unless discharged upon examination, be held to answer and stand trial before the court of the United States having jurisdiction of the offense."

Approved, July 23, 1892.

Penalty.

Authority from War Department.

Complaints.

Arrests.

R. S., sec. 1014, p. 189.

Trial.

CHAP. 235.—An act to provide for a May term of the district court of the United States for the eastern district of South Carolina.

July 23, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be a term of the district court of the United States for the eastern district of South Carolina, to be holden on the first Monday in May in each year, in the city of Charleston, which term shall be in lieu of the term now provided by law for the first Monday in April in each year.

Approved, July 23, 1892.

South Carolina eastern judicial district.

Term at Charleston.

Vol. 26, p. 71.

CHAP. 236.—An act to amend "An act to define the jurisdiction of the police court of the District of Columbia," approved March third, eighteen hundred and ninety-one.

July 23, 1892.

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 define the jurisdiction of the police court of the District of Columbia," approved March third, eighteen hundred and ninety-one, be amended as follows: Strike out all of section two of said act, and in lieu thereof insert the following:

Police court, D. C. Vol. 26, p. 848.

"SEC. 2. That prosecutions in the police court shall be on information by the proper prosecuting officer. In all prosecutions within the jurisdiction of said court in which, according to the Constitution of the United States, the accused would be entitled to a jury trial, the trial shall be by jury, unless the accused shall in open court expressly waive such trial by jury and request to be tried by the judge, in which case the trial shall be by such judge, and the judgment and sentence shall have the same force and effect in all respects as if the same had been entered and pronounced upon the verdict of a jury. In all cases where the accused would not by force of the Constitution of the United States

Prosecutions.

Jury trials.

Waiving jury.

Cases where jury may be demanded.

be entitled to a trial by jury, the trial shall be by the court without a jury, unless in such of said last-named cases wherein the fine or penalty may be fifty dollars or more, or imprisonment as punishment for the offense may be thirty days or more, the accused shall demand a trial by jury, in which case the trial shall be by jury. In all cases where the said court shall impose a fine it may, in default of the payment of the fine imposed, commit the defendant for such a term as the court thinks right and proper, not to exceed one year."

SEC. 2. That section ten hundred and sixty of the Revised Statutes relating to the District of Columbia be, and the same is hereby, amended so that said section shall read:

"SEC. 1060 The clerk and the deputy clerks, and such other officers of the court as may be assigned by the judges of the court for that purpose, shall have the power to administer oaths and affirmations."

Approved, July 23, 1892.

July 23, 1892.

CHAP. 237.—An act to accept a bequest made by General George W. Cullum for the erection of a memorial hall at West Point, New York, and to carry the terms and conditions of the same into execution.

Preamble.

Whereas George W. Cullum, colonel of the Corps of Engineers on the retired list, brevet major-general United States Army, a resident of the city of New York, lately deceased, did, by his last will and testament, give and bequeath to the United States the sum of two hundred and fifty thousand dollars upon the terms and conditions that the United States shall build and maintain, in accordance with certain stipulations, upon the public grounds at West Point, New York, a fire-proof memorial hall for certain designated purposes hereinafter specified: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said bequest be, and the same hereby is, accepted by the United States under the terms and conditions thereto annexed by the said testator in his said last will and testament; the said sum of two hundred and fifty thousand dollars to be paid into the Treasury of the United States, subject to the disposition hereinafter to be made of the same and for the faithful execution of the objects and purposes of said bequest according to the will of the donor.

Board of trustees.

SEC. 2. That the Superintendent of the United States Military Academy, three other members of the academic board, and Major-General James B. Fry, during his lifetime, be, and they are, constituted a board, by the name of "The Board of Trustees of the Memorial Hall of the United States Military Academy," whose duty it shall be to erect the said memorial hall according to the provisions of the will of the testator, and on completion thereof to transfer the same to the United States for perpetual use as a memorial hall, to be devoted to the objects and purposes as defined in the said will. And the members of the said board of trustees, to be selected as aforesaid, shall be appointed, immediately upon the passage of this act, by the Secretary of War, from members of the academic board of the said academy who are graduates thereof. And in the event of any vacancy occurring in the said board of trustees, either by the death or inability to serve of Major-General James B. Fry, or by the death or vacation of office of any member thereof who was appointed by selection from the members of the said academic board, the Secretary of War shall in each case, and from time to time as often as vacancies occur, fill such vacancy by the appointment of a member of the said academic board, who shall be a graduate of the said Military Academy, in the same manner as provided for the original appointments.

Duties.

Vacancies.

Erection of building.

SEC. 3. That when the said sum of two hundred and fifty thousand dollars shall have been paid into the Treasury of the United States the

Fines, etc.

Oaths.
R. S., D. C., sec. 1060,
p. 123, amended.

Officers to adminis-
ter oaths.

Military Academy.
Acceptance of be-
quest by Gen. G. W.
Cullum for memorial
hall.