

tives of the deceased, who may conveniently have notice thereof, and of other persons, and immediately thereafter to deliver such will or codicil to the supreme court of the District of Columbia, holding a special term as a probate court, or to the register of wills, until due proceedings may be had for proving the same, or until it be demanded by an executor or other person authorized to demand it, for the purpose of having it proved according to law.

Acts not repealed.
Vol. 31, p. 1435.

Vestry, etc.

Amend section 1636 by adding at the end of the paragraph numbered "Eighth" the following paragraph:

"Ninth. Acts and parts of acts relating to the organization and powers of vestries, trustees, or other governing bodies of any religious denomination."

At the end of chapter sixty, entitled "Repeal provisions," and following section 1642, insert the following section:

Terms of present of-
ficers not affected.
Vol. 31, p. 1436.
Exception.

SEC. 1643. That nothing herein contained shall be held to affect the term of office of any judicial or other officer holding office when this code goes into effect and operation, except when, as in the case of the present justices of the peace and constables, a contrary intention is manifested.

Approved, June 30, 1902.

June 30, 1902.

[Public, No. 207.]

CHAP. 1330.—An Act Confirming in the State of South Dakota title to a section of land heretofore granted to said State.

South Dakota.
Title to State camp
and parade ground
confirmed.
Vol. 26, p. 647.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title of the State of South Dakota to the section of land described in section three of chapter twelve hundred and fifty-seven of the Act of Congress approved October first, anno Domini eighteen hundred and ninety, be, and is hereby, confirmed and made absolute in the said State freed from the conditions therein imposed; the proceeds thereof, if sold, to be used in aid of the militia of the State of South Dakota.

Approved, June 30, 1902.

June 30, 1902.

[Public, No. 208.]

CHAP. 1331.—An Act To prevent any consular officer of the United States from accepting any appointment from any foreign state as administrator, guardian, or to any other office of trust, without first executing a bond, with security, to be approved by the Secretary of State.

Consular Service.
Consuls accepting
from foreign States
appointments as ad-
ministrators, etc.,
must give bond.
Secretary of State
to approve bond.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no consular officer of the United States shall accept an appointment from any foreign state as administrator, guardian, or to any other office of trust for the settlement or conservation of estates of deceased persons or of their heirs or of persons under legal disabilities, without executing a bond, with security, to be approved by the Secretary of State, and in a penal sum to be fixed by him and in such form as he may prescribe, conditioned for the true and faithful performance of all his duties according to law and for the true and faithful accounting for, delivering, and paying over to the persons thereto entitled of all moneys, goods, effects, and other property which shall come to his hands or to the hands of any other person to his use as such administrator, guardian, or in other fiduciary capacity. Said bond shall be deposited with the Secretary of the Treasury. In case of a breach of any such bond, any person injured by the failure of such officer faithfully to discharge the duties of his said trust according to law, may institute, in his own name and for his sole use, a suit upon said bond and thereupon recover such

Proceedings
breach of trust.

damages as shall be legally assessed, with costs of suit, for which execution may issue in due form; but if such party fails to recover in the suit, judgment shall be rendered and execution may issue against him for costs in favor of the defendant; and the United States shall in no case be liable for the same. The said bond shall remain, after any judgment rendered thereon, as a security for the benefit of any person injured by a breach of the condition of the same until the whole penalty has been recovered.

SEC. 2. That every consular officer who accepts any appointment to any office of trust mentioned in the preceding section without first having complied with the provisions thereof by due execution of a bond as therein required, or who shall willfully fail or neglect to account for, pay over, and deliver any money, property, or effects so received to any person lawfully entitled thereto, after having been requested by the latter, his representative or agent so to do, shall be deemed guilty of embezzlement and shall be punishable by imprisonment for not more than five years and by a fine of not more than five thousand dollars.

Approved, June 30, 1902.

Judgment.

United States not liable.
Bond continues until penalty is recovered.

Breach of trust, embezzlement.

Penalty.

CHAP. 1332.—An Act Relative to the control of dogs in the District of Columbia.

June 30, 1902.

[Public, No. 209.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections three, four, and nine of the Act of Congress approved June nineteenth, eighteen hundred and seventy-eight, entitled "An Act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," be, and the same are hereby, amended so as to read as follows:

District of Columbia.
Dog tax in.
Vol. 20, p. 173,
amended.

"SEC. 3. That the pound master of the District of Columbia shall, during the entire year, seize all dogs found running at large without the tax tag issued by the collector aforesaid attached, and all female dogs in heat found running at large, and shall impound the same; and if within forty-eight hours the same are not redeemed by the owners thereof by the payment of two dollars they shall be sold or destroyed, as the pound master may deem advisable; and any sale made by virtue hereof shall be deemed valid to all intents and purposes in all courts of the District of Columbia.

Dogs without tags, etc.
Impounding of.

Time of redemption.

Sale valid.

"SEC. 4. That any dog wearing the tax tag hereinbefore provided for, except female dogs in heat, shall be permitted to run at large within the District of Columbia, and any dog wearing the tax tag hereinbefore provided for shall be regarded as personal property in all the courts of said District, and any person injuring or destroying the same shall be liable to a civil action for damages, which, upon proof of said injuring or killing, may be awarded in a sum equal to the value usually put upon such property by persons buying and selling the same, subject to such modifications as the particular circumstances of the case may make proper.

Dogs with tags, personal property.
Exception.

Civil action for damages.

"SEC. 9. That if any owner or possessor of a fierce or dangerous dog shall permit the same to go at large in the District of Columbia, knowing said dog to be fierce or dangerous, to the danger or annoyance of the inhabitants, he shall, upon conviction thereof, be punished by a fine not exceeding twenty dollars; and if such animal shall attack or bite any person, the owner or possessor thereof shall, on conviction, be punished by a fine not exceeding fifty dollars, and in addition to such punishment the court shall adjudge and order that such animal be forthwith delivered to the pound master, and said pound master is hereby authorized and directed to kill such animal so delivered to him.

Dangerous dogs.
Punishment of owner.

Animal to be killed by poundmaster.